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MATT BLUNT

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the web site at <http://www.sos.state.mo.us/adrules/pubsched.asp>

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RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or (thirty) 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—Division of Medical Services Chapter 15—Hospital Program

EMERGENCY AMENDMENT

13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology. The division is amending sections (2), (5) and (15).

PURPOSE: *The emergency amendment revises sections (2) and (5) to allow critical access hospitals to request a rate adjustment and subsection (15)(A) to allow for the FRA assessment not included in cost reports ending prior to January 1, 2001, the increased cost resulting from including out-of-state Medicaid days in total projected Medicaid days and for a Missouri Specific Trend.*

EMERGENCY STATEMENT: *The Division of Medical Services finds that this emergency amendment is necessary to preserve a compelling governmental interest requiring an early effective date in that the emergency amendment makes adjustments to the add-on payments for SFY 2002 and SFY 2003 to ensure access to hospital services for indigent and Medicaid recipients at hospitals which have relied on these payments in meeting those needs for indigent and Medicaid recipients. The Division of Medical Services also finds an immediate danger to public health and welfare which requires emergency action. If this emergency amendment is not*

enacted, it will cause significant cash flow shortages and financial strain on all hospitals who serve more than 850,000 Medicaid recipients. This will, in turn, result in an adverse impact on the health and welfare of those in need of medical care and treatment. A proposed amendment, which covers the same material, was published in the June 3, 2002 Missouri Register. This emergency amendment limits its scope to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. The Division of Medical Services believes this emergency amendment to be fair to all interested persons and parties under the circumstances. Emergency amendment was filed May 28, 2002, effective June 6, 2002, and expires December 2, 2002.

(2) Definitions.

(G) Critical access. Hospitals which meet the federal definition found in section 1820(c)(2)(B) of the Social Security Act. A Missouri expanded definition of critical access shall also include hospitals which meet the federal definitions of both a rural referral center and sole community provider and is adjacent to at least one county that has a Medicaid eligible population of at least thirty percent (30%) of the total population of the county or hospitals which are the sole community hospital located in a county that has a Medicaid population of at least thirty percent (30%) of the total population of the county.

[(G)] (H) Disproportionate share reimbursement. The disproportionate share payments described in section (16), and subsection (18)(B) include both the federally mandated reimbursement for hospitals which meet the federal requirements listed in section (6) and the discretionary disproportionate share payments which are allowed but not mandated under federal regulation. A Safety Net Adjustment, section (16), and Uninsured Add-Ons, subsection (18)(B), are subject to federal limitation as described in Omnibus Reconciliation Act of 1993 (OBRA 93) and section (17) of this regulation.

[(H)] (I) Effective date.

1. The plan effective date shall be October 1, 1981.
2. The adjustment effective date shall be thirty (30) days after notification to the hospital that its reimbursement rate has been changed unless modified by other sections of the plan.

[(I)] (J) Medicare rate. The Medicare rate is the rate established on the basis of allowable cost as defined by applicable Medicare standards and principles of reimbursement (42 CFR part 405) as determined by the servicing fiscal intermediary based on yearly hospital cost reports.

[(J)] (K) Nonreimbursable items. For purposes of reimbursement *[f]* of reasonable cost, the following are not subject to reimbursement:

1. Allowances for return on equity capital;
2. Amounts representing growth allowances in excess of the intensity allowance, profits, efficiency bonuses, or a combination of these;
3. Cost in excess of the principal of reimbursement specified in 42 CFR chapter IV, part 413; and
4. Costs or services or costs and services specifically excluded or restricted in this plan or the Medicaid hospital provider manual.

[(K)] (L) Per-diem rates. The per-diem rates shall be determined from the individual hospital cost report in accordance with section (3) of the regulation.

[(L)] (M) Reasonable cost. The reasonable cost of inpatient hospital services is an individual hospital's Medicaid per-diem cost per day as determined in accordance with the general plan rate calculation from section (3) of this regulation using the base year cost report.

[(M)] (N) Trend factor. The trend factor is a measure of the change in costs of goods and services purchased by a hospital during the course of one (1) year.

[(N)] (O) Children's hospital. An acute care hospital operated primarily for the care and treatment of children under the age of eighteen (18) and which has designed in its licensure application at least sixty-five percent (65%) of its total licensed beds as a pediatric unit as defined in 19 CSR 30-20.021(4)(F).

[(O)] (P) FRA. The Federal Reimbursement Allowance (FRA) is identified in 13 CSR 70-15.110. Effective January 1, 1999, the assessment shall be an allowable cost.

[(P)] (Q) Incorporates by Reference. This rule incorporates by reference the following:

1. *Institutional Provider Manual*; and

2. Worksheet E-3 Part IV from the Medicare cost report (HCFA 2552-96).

(5) Administrative Actions.

(F) Rate Reconsideration.

1. Rate reconsideration may be requested under this subsection for changes in allowable cost which occur subsequent to the base period described in subsection (3)(A). The effective date for any increase granted under this subsection shall be no earlier than the first day of the month following the Division of Medical Services' final determination on rate reconsideration.

2. The following may be subject to review under procedures established by the Medicaid agency:

A. Substantial changes in or costs due to case mix;

B. New, expanded or terminated services as detailed in subsection (5)(C); *and*

C. When the hospital experiences extraordinary circumstances which may include, but are not limited to, an act of God, war or civil disturbance~~/.~~; **and**

D. Per-diem rate adjustments for critical access and trauma center hospitals.

(I) Critical access hospitals meeting either the federal definition or the Missouri expanded definition may request per-diem rate adjustments in accordance with this subsection. The per-diem rate increase will result in a corresponding reduction in the Medicaid Direct payment.

(a) Hospitals which meet the federal definition as a critical access hospital may request a per-diem rate equal to one hundred percent (100%) of their estimated Medicaid cost per day as determined in section (15).

(b) Hospitals which meet the Missouri expanded definition as a critical access hospital may request a per-diem rate equal to seventy-five percent (75%) of their estimated Medicaid cost per day as determined in section (15).

3. The following will not be subject to review under these procedures:

A. The use of Medicare standards and reimbursement principles;

B. The method for determining the trend factor;

C. The use of all-inclusive prospective reimbursement rates; and

D. Increased costs for the successor owner, management or leaseholder that result from changes in ownership, management, control, operation or leasehold interests by whatever form for any hospital previously certified at any time for participation in the Medicaid program, except a review may be conducted when a hospital changes from nonprofit to proprietary or vice versa to recognize the change in its property taxes, see paragraph (5)(E)4.

4. As a condition of review, the Missouri Division of Medical Services may require the hospital to submit to a comprehensive operational review. The review will be made at the discretion of the state Medicaid agency and may be performed by it or its designee. The findings from any such review may be used to recalculate allowable costs for the hospital.

5. The request for an adjustment must be submitted in writing to the Missouri Division of Medical Services and must specifically and clearly identify the issue and the total dollar amount involved. The total dollar amount must be supported by generally acceptable accounting principles. The hospital shall demonstrate the adjustment is necessary, proper and consistent with efficient and economical delivery of covered patient care services. The hospital will be notified in writing of the agency's decision within sixty (60) days of receipt of the hospital's written request or within sixty (60) days of receipt of any additional documentation or clarification which may be required, whichever is later. Failure to submit requested information within the sixty (60)-day period shall be grounds for denial of the request. If the state does not respond within the sixty (60)-day period, the request shall be deemed denied.

(15) Direct Medicaid Payments.

(A) Direct Medicaid Payments. Direct Medicaid payments will be made to hospitals for the following allowable Medicaid costs not included in the per-diem rate as calculated in section (3):

1. The increased Medicaid costs resulting from the FRA assessment *[becoming an allowable cost on January 1, 1999]* **not included in the cost report ending prior to January 1, 2001;**

2. The unreimbursed Medicaid costs applicable to the *[SFY 1999]* trend factor which is not included in the per-diem rate;

3. The unreimbursed Medicaid costs for capital and medical education not included in the trended per-diem cost as a result of the application of the sixty percent (60%) minimum utilization adjustment in paragraph (3)(A)4.;

4. The increased cost per day resulting from the utilization adjustment. The increase cost per day results from lower utilization of inpatient hospital services by Medicaid recipients now covered by an MC+ health plan; *and*

5. The poison control adjustment shall be determined for hospitals which operated a poison control center during the base year and which continues to operate a poison control center in a Medicaid managed care region~~/.~~; **and**

6. The increased cost resulting from including out-of-state Medicaid days in total projected Medicaid days.

(B) Direct Medicaid payment will be computed as follows:

1. The Medicaid share of the FRA assessment will be calculated by dividing the hospital's Medicaid patient days by total hospital's patient days to arrive at the Medicaid utilization percentage. This percentage is then multiplied by the FRA assessment for the current SFY to arrive at the increased allowable Medicaid costs;

2. The unreimbursed Medicaid costs are determined by subtracting the hospital's per-diem rate from its trended per-diem costs. The difference is multiplied by the estimated Medicaid patient days for the current SFY.

A. The trended cost per day is calculated by trending the base year *[operating]* costs per day by the trend indices listed in paragraph (3)(B)1., using the rate calculation in subsection (3)(A). **In addition to the trend indices applied to inflate base period costs to the current fiscal year, base year costs will be further adjusted by a Missouri Specific Trend. The Missouri Specific Trend will be used to address the fact that costs for Missouri inpatient care of Medicaid residents have historically exceeded the compounded inflation rates estimated using national hospital indices for a significant number of hospitals. The Missouri Specific Trend will be applied at one and one-half percent (1.5%) per year to the hospital's base year. For example, hospitals with a 1998 base year will receive an additional six percent (6%) trend and hospitals with a 1999 base year will receive an additional four and one-half percent (4.5%) trend.**

B. For hospitals that meet the requirements in paragraphs (6)(A)1., (6)(A)2. and (6)(A)4. of this rule (safety net hospitals), the base year cost report may be from the third prior year, the

fourth prior year, or the fifth prior year. For hospitals that meet the requirements in paragraphs (6)(A)1. and (6)(A)3. of this rule (first tier Disproportionate Share Hospitals), the base year operating costs may be the third or fourth prior year cost report. The Division of Medical Services shall exercise its sole discretion as to which report is most representative of costs. For all other hospitals, the base year operating costs are based on the fourth prior year cost report. For any hospital that has both a twelve (12)-month cost report and a partial year cost report, its base period cost report for that year will be the twelve (12)-month cost report.

C. The trended cost per day does not include the costs associated with the FRA assessment, the application of minimum utilization, the utilization adjustment and the poison control costs computed in paragraphs (15)(B)1., 3., 4., and 5.;

3. The minimum utilization costs for capital and medical education is calculated by determining the difference in the hospital's cost per day when applying the minimum utilization as identified in paragraph (5)(C)4., and without applying the minimum utilization. The difference in the cost per day is multiplied by the estimated Medicaid patient days for the SFY;

4. The utilization adjustment cost is determined by estimating the number of Medicaid inpatient days the hospital will not provide as a result of the MC+ Health Plans limiting inpatient hospital services. These days are multiplied by the hospital's cost per day to determine the total cost associated with these days. This cost is divided by the remaining total patient days from its base period cost report to arrive at the increased cost per day. This increased cost per day is multiplied by the estimated Medicaid days for the current SFY to arrive at the Medicaid utilization adjustment; [and/

5. The poison control cost shall reimburse the hospital for the prorated Medicaid managed care cost. It will be calculated by multiplying the estimated Medicaid share of the poison control costs by the percentage of MC+ recipients to total Medicaid recipients/.]; and

6. The costs for including out-of-state Medicaid days is calculated by subtracting the hospital's per-diem rate from its trended per-diem cost and multiplying this difference by the out-of-state Medicaid days from the base year cost report.

[(C) The SFY 1999 Direct Medicaid Payments starting January 1, 1999 will be determined by subtracting the Add-On payments made for unreimbursed Medicaid costs between July 1, 1998 and December 31, 1998 from the SFY 1999 unreimbursed Medicaid costs calculated in subsection (15)(B). The difference in the unreimbursed Medicaid costs will be prorated over the remainder of the SFY 1999 and paid directly to the hospitals.]

AUTHORITY: sections 208.152, 208.153, 208.201, RSMo 2000 and 208.471, RSMo Supp. 2001. This rule was previously filed as 13 CSR 40-81.050. Original rule filed Feb. 13, 1969, effective Feb. 23, 1969. For intervening history, please consult the Code of State Regulations. Amended: Filed April 29, 2002. Emergency amendment filed May 28, 2002, effective June 6, 2002, expires Dec. 2, 2002.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 15—Hospital Program**

EMERGENCY AMENDMENT

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA). The division is amending section (9) and adding section (10).

PURPOSE: The emergency amendment changes section (9) and adds section (10). This amendment will establish the Federal Reimbursement Allowance (FRA) Assessment for SFY 2002 at five

and zero hundredths percent (5.00%) and SFY 2003 at five and fifty-two hundredths percent (5.52%).

EMERGENCY STATEMENT: The SFY 2002 revenue projection is expected to be about \$750 million less than the original consensus revenue forecast. This forecast was arrived at in December 2000 and provides the basis for the SFY 2002 budget established by the legislature and signed by the Governor. For SFY 2003, the state is projecting general revenue will be \$56 million less than actual net collections in SFY 2001. This does not take into account the impact of inflation. Assuming this projection is accurate, the state will have less money to operate than two years ago while it must fund mandatory items such as Medicaid caseload growth. The state fiscal situation presents an emergency in that it is necessary to preserve a compelling governmental interest requiring an early effective date because the emergency amendment makes adjustments to the Federal Reimbursement Allowance for SFY 2002 and establishes the Federal Reimbursement Allowance for SFY 2003 to ensure access to hospital services for indigent and Medicaid recipients at hospitals which have relied on Medicaid payments in meeting those needs. The Division of Medical Services also finds an immediate danger to public health and welfare which requires emergency actions. If this emergency amendment is not enacted, it will cause significant cash flow shortages and financial strain on all hospitals which service more than 850,000 Medicaid recipients. This will, in turn, result in an adverse impact on the health and welfare of those in need of medical care and treatment. A proposed amendment, which covers the same material, was published in the June 3, 2002 Missouri Register. This emergency amendment limits its scope to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. The Division of Medical Services believes this emergency amendment to be fair to all interested persons and parties under the circumstances. The emergency amendment was filed May 28, 2002, effective June 6, 2002, and expires December 2, 2002.

(9) Federal Reimbursement Allowance (FRA) for State Fiscal Year 2002. The FRA assessment for State Fiscal Year (SFY) 2002 shall be determined at the rate of [five and twenty] five and zero hundredths percent [(5.20%)] (5.00%) of the hospital's [net operating revenues and other operating revenues defined in paragraphs (1)(A)12., and 13., as determined from information reported in the hospital's 1998 base year cost report. The SFY 2002 FRA Assessment shall be prorated as an estimate of the SFY 2003 FRA Assessment until such time as the regulation establishing the SFY 2003 FRA Assessment is effective.] total operating revenue less tax revenue/other government appropriations plus nonoperating gains and losses as published by the Missouri Department of Health, State Center for Health Statistics in the Missouri Hospital Revenues 1995-2000 manual, which is incorporated by reference in this rule. The base financial data for 1998 will be annualized, if necessary, and will be adjusted by the trend factor listed in 13 CSR 70-15.010(3)(B) to determine revenues for the current state fiscal year. The financial data that is submitted by the hospitals to the Missouri Department of Health and Senior Services is required as part of 19 CSR 10-33.030, Reporting Financial Data by Hospitals. If the pertinent information is not available through the Department of Health and Senior Services' hospital database, the Division of Medical Services will use the Medicaid data similarly defined from the Medicaid cost report that is required to be submitted pursuant to 13 CSR 70-15.010(5)(A).

(10) Federal Reimbursement Allowance (FRA) for State Fiscal Year 2003. The FRA assessment for State Fiscal Year (SFY)

2003 shall be determined at the rate of five and fifty-two hundredths percent (5.52%) of the hospital's total operating revenue less tax revenue/other government appropriations plus nonoperating gains and losses as published by the Missouri Department of Health, State Center for Health Statistics in the Missouri Hospital Revenues 1995-2000 manual, which is incorporated by reference in this rule. The base financial data for 1999 will be annualized, if necessary, and will be adjusted by the trend factor listed in 13 CSR 70-15.010(3)(B) to determine revenues for the current state fiscal year. The financial data that is submitted by the hospitals to the Missouri Department of Health and Senior Services is required as part of 19 CSR 10-33.030, Reporting Financial Data by Hospitals. If the pertinent information is not available through the Department of Health and Senior Services' hospital database, the Division of Medical Services will use the Medicaid data similarly defined from the Medicaid cost report that is required to be submitted pursuant to 13 CSR 70-15.010(5)(A).

AUTHORITY: sections 208.201, 208.453 and 208.455, RSMo 2000. Emergency rule filed Sept. 21, 1992, effective Oct. 1, 1992, expired Jan. 28, 1993. Emergency rule filed Jan. 15, 1993, effective Jan. 25, 1993, expired May 24, 1993. Original rule filed Sept. 21, 1992, effective June 7, 1993. For intervening history, please consult the Code of State Regulations. Amended: Filed April 29, 2002. Emergency amendment filed May 28, 2002, effective June 6, 2002, expires Dec. 2, 2002.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

PROPOSED RESCISSION

1 CSR 15-2.200 Subject Matter. This rule set out the matters to which this chapter applied.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 2000. Original rule filed Jan. 11, 2001, effective July 30, 2001. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.210 Definitions. This rule set out the definitions of terms used in the rules of the Administrative Hearing Commission.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.230 Computation of Time; Extensions of Time. This rule set forth the manner in which time periods would be computed.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.250 Practice by a Licensed Attorney; When Required. This rule stated when and how a party must be represented by a licensed attorney.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: sections 621.035 and 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.270 Service of Filings Other Than the Original Complaint. This rule required that anyone filing anything other than a complaint with the commission send copies to all parties.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: sections 621.198 and 621.205, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.290 Filing of Documents; Fax Filing; Posting Bond. This rule established procedures for filing documents and when they were deemed filed, and clarified the requirement for posting bonds.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: sections 621.198 and 621.205, RSMo 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.320 Stays or Suspensions of Agency Action. This rule described the form and content of a motion for stay or suspension of any agency action, the number of copies required and who was served with a stay order.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.350 Complaints. This rule described the form and content of the complaints, the number of copies required, how the complaints were served and how they were amended.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.380 Answers and Other Responsive Pleadings. This rule described who was required to file a responsive pleading, how it shall be filed, the form and content of the answer and how an answer was amended.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.390 Intervention. This rule described who may intervene in an action and how to intervene.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section

621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.410 Closing of Case Records and Hearings. This rule described the procedure for closing records or a hearing in a particular case.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.420 Discovery. This rule explained the manner in which discovery may be obtained.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.430 Dismissal. This rule described how a case may be dismissed with or without prejudice.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.450 Determination of Cases Without Hearing. This rule provided for disposition of a contested case by stipulation, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings or summary judgment as required by section 536.073, RSMo Supp. 1990.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: sections 536.073.2(2) and 621.198, RSMo 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.470 Prehearing Conferences. This rule described the setting and subject matter of the prehearing conference.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on

August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.480 Hearings on Motions. This rule described how a party might obtain oral argument or an evidentiary hearing on a motion.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.490 Hearings on Complaints. This rule described the procedures for the setting of, continuance of and order of proof in hearings on complaints.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-2.510 Transcripts. This rule set forth procedures for the availability and correction of a transcript and when the hearing reporter may destroy records.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

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PROPOSED RESCISSION

1 CSR 15-2.530 Bench Rulings and Memorandum Decisions. This rule established a procedure for parties to obtain a bench ruling or a memorandum decision, as provided by section 536.068, RSMo Supp. 1990.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

PROPOSED RESCISSION

1 CSR 15-2.560 Fees and Expenses. This rule established a procedure to allow parties to make application for fees and expenses when authorized by statute or other law.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo

PROPOSED RESCISSION

1 CSR 15-2.580 Certifications of Records. This rule set forth the content of the record and the procedure by which the commission caused the record to be certified to a court or to a licensing agency.

PURPOSE: The commission is rescinding this rule because it is incorporating the procedure for licensing cases under section 621.045, RSMo 2000 into Chapter 1 CSR 15-3, as allowed by section 621.198, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under
Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.200 Subject Matter. The commission is amending provisions of this rule.

PURPOSE: This amendment shows that this chapter incorporates the procedure for licensing cases under section 621.045, RSMo 2000, as allowed by section 621.198, RSMo Supp. 2001.

This chapter 1 CSR 15-3 [shall apply to all contested cases except licensing cases under section 621.045, RSMo] contains all procedural regulations of the Administrative Hearing Commission.

AUTHORITY: section 621.198, RSMo [2000] Supp. 2001. Original rule filed Jan. 11, 2001, effective July 30, 2001. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under
Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.210 Definitions. The commission is amending section (1).

PURPOSE: This amendment incorporates the procedure for licensing cases under section 621.045, RSMo 2000 into this chapter, as allowed by section 621.198, RSMo Supp. 2001.

(1) As used in this chapter, the following terms mean:

(A) **Agency**—any governmental entity subject to the jurisdiction of the commission;

(B) **Aggrieved person**—any person, other than an agency, the attorney general, a licensee or an applicant, whom the law allows to file a complaint relating to a license;

(C) **Applicant**—any person whom an agency refuses to permit to be examined upon the person's qualifications, or who has passed an examination for licensure but as to whom an agency refuses to issue or renew a license, or who possesses the qualifications for licensure without examination;

[(A)] (D) **Commission**—the Administrative Hearing Commission or any commissioner;

[(B)] (E) **Commissioner**—any administrative hearing commissioner, including any acting commissioner;

[(C)] (F) **Commission's office**—the Administrative Hearing Commission's official residence in Jefferson City, MO 65101;

[(D)] (G) **Complaint**—the petition, application, or other initial pleading[, or] other than a motion for a stay, or any amended complaint;

[(E)] (H) **Hearing**—any presentation to, or consideration by, the commission of evidence or argument on a complaint, motion or application;

(I) **License**—any permit to engage in a licensed activity or certificate of registration;

(J) **Licensee**—any person holding a license;

(K) **Person**—any individual, corporation, or other legal entity;

[(F)] (L) **Petitioner**—the party filing the complaint;

[(G)] (M) **Pleading**—a complaint or a responsive pleading;

[(H)] (N) **Respondent**—the party against whom the complaint is filed, and any person later joined as respondent;

[(I)] (O) **Responsive pleading**—an answer, and any motion directed to the contents or form of the complaint, including, without limitation, motions to dismiss, motions for more definite statement or to make more definite and certain, motions to strike or any combination of these pleadings; and

[(J)] (P) **Stay**—any stay or a suspension of any action from which petitioner is appealing.

AUTHORITY: section 621.198, RSMo [2000] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended:

Filed Jan. 11, 2001, effective July 30, 2001. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
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Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.250 Practice by a Licensed Attorney; When Required. The commission is amending sections (1)–(3).

PURPOSE: This amendment clarifies when and how a party must be represented by a licensed attorney.

(1) Any individual may [represent him/herself] present that individual's own case without a licensed attorney.

(2) Any individual may file a complaint on behalf of another person, including a corporation[, who is not an applicant] or other legal entity.

(3) Except as set forth in section (2) of this rule, only a licensed attorney may represent any other person, including a corporation or other legal entity. The filing of any document with the commission by a licensed attorney shall be deemed an entry of appearance. An attorney not authorized to practice in Missouri shall enter an appearance in accordance with Missouri Supreme Court Rules.

AUTHORITY: section 621.198, RSMo [1986] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commis-

sioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
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Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.320 Stays or Suspensions of Any Action From which Petitioner Is Appealing. The commission is amending sections (1) and (3).

PURPOSE: This amendment states the scope of the commission's stay power as set forth in section 621.035, RSMo 2000, and incorporates the procedure for licensing cases under section 621.045, RSMo 2000 into this chapter, as allowed by section 621.198, RSMo Supp. 2001.

(1) **Scope and Content.** The commission may stay or suspend any action of an administrative agency pending the commission's findings and determination in the cause.

(3) **Specific Cases.**

(B) Department of Social Services Cases Under Section 208.156, RSMo. The commission shall not grant a stay until after a full hearing on the motion.

1. The movant must show:

A. That immediate and irreparable injury, loss, or damage will result if such stay order is denied; or

B. That such person has a reasonable likelihood of success upon the merits of the claim; and

2. No stay order shall be issued without the movant posting a bond in such sum as the commission finds sufficient to protect and preserve the interest of the Department of Social Services or its divisions.

3. In no event may the commission grant such stay order where the claim arises under a program or programs funded by federal funds or by any combination of state and federal funds, unless it is specified in writing by the financial section of the appropriate federal agency that federal financial participation will be continued under the stay order and petitioner has met any other statutory conditions.

(D) **Liquor Control Cases.** The commission, with or without the filing of a motion, may stay any suspension or revocation order of the supervisor of the Division of Liquor Control if the licensee files a complaint.

AUTHORITY: section 621.198, RSMo [2000] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building,

Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.350 Complaints. The commission is amending sections (1) and (2).

PURPOSE: This amendment incorporates the procedure for licensing cases under section 621.045, RSMo 2000 into this chapter, as allowed by section 621.198, RSMo Supp. 2001.

(1) [Content] In General.

(B) Petitioner shall include in the complaint:

1. The full name, address and telephone number of—
 - A. Petitioner; and
 - B. Any attorney representing petitioner;

2. Suitable space in the caption for the commission to affix a case number;

3. [A description of the action which petitioner is appealing and the date of any written notice of such action; and

4.] As far as practical, facts in numbered paragraphs[, each of which shall contain a single set of circumstances] stating the relief sought and the reason for granting it.

[(C) Petitioner shall accompany the complaint with a copy of any written notice of the action from which petitioner appeals.]

[(D)] (C) Petitioner or petitioner's legal counsel shall sign the complaint.

[(E) The complaint may contain a motion for stay].

[(2)] (D) Petitioner shall file the original of the complaint at the commission's office with sufficient copies for all parties.

(2) Specific Cases. In addition to the other requirements of this rule—

(A) An agency's complaint shall set forth—

1. The full name, address and telephone number of any person whom petitioner names as a respondent;

2. Any licenses the licensee holds from the agency and their status;

3. Any conduct that the licensee has committed that is cause for discipline, with sufficient specificity to enable the licensee to address the charge at hearing; and

4. Any provision of law that allows discipline for that conduct.

(B) A complaint by any person other than an agency—

1. Shall include a copy of any notice of the action of which petitioner seeks review; and

2. May include a motion for stay.

(C) An applicant's complaint shall, in addition to the other requirements of this section, set forth facts that show that the applicant is entitled to be licensed or examined for licensure.

(D) In a case arising pursuant to Chapter 407, RSMo, including cases relating to the protest of an action taken by a motor vehicle, motorcycle or all-terrain vehicle manufacturer, distributor or representative pursuant to a franchise agreement, the

petition shall include a filing fee equal to the filing fee of the circuit court of Cole County. The provisions of this subsection (2)(D) of this regulation shall expire on November 30, 2003.

AUTHORITY: sections 621.198[, RSMo 2000] and 621.053, RSMo Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.380 Answers and Other Responsive Pleadings. The commission is amending sections (2) and (7).

PURPOSE: This amendment adopts the time limits currently specified for filing an answer under the rules governing civil practice in circuit courts in Missouri as required by section 536.068, RSMo 2000. It refers to new rule 1 CSR 15-2.425 for the consequences of failing to comply. It also incorporates the procedure for licensing cases under section 621.045, RSMo 2000 into this chapter, as allowed by section 621.198, RSMo Supp. 2001.

(2) An answer to the complaint shall—

(B) Admit those portions of the complaint which the respondent believes are true and deny those portions [s/he] that the respondent believes are not true and state that the respondent is without sufficient knowledge to admit or deny the portions not admitted or denied;

(C) Assert as a defense any specific failure of the complaint to comply with 1 CSR 15-3.350 or waive that defense by not asserting it; [and]

(D) Be signed by the respondent or [his/her] the respondent's attorney[.]; and

(E) [Describe any conduct that is cause for the action that petitioner is appealing with sufficient specificity to enable the petitioner to prepare for hearing;] When the petitioner seeks review of respondent's action, include—

1. Allegations of any conduct on which the respondent bases the action, with sufficient specificity to enable the petitioner to address such allegations;

[(F) State which provisions of constitution, statute, or regulation provide the legal basis for the action that petitioner is appealing;]

2. Any provision of law that allows the respondent to base the action on such facts;

[(G)] **3. [Include a]** A copy of any written notice of the action of which petitioner seeks review, unless such written notice was included in the complaint; and

[(H)] **4. [Set forth facts which]** Facts that show that the respondent has complied with any provisions of law requiring *[him/her]* **the respondent** to notify the *[licensee]* **petitioner** of the action that petitioner is appealing.

(3) The respondent shall file any responsive pleading *[no later than thirty (30) days after receiving the notice of complaint.]* **within the following times—**

(A) **Thirty (30) days after service of the notice of complaint, except when service is by certified mail or publication.**

(B) **When service is by certified mail, within thirty (30) days after acknowledgment of receipt of the notice of complaint or return certified mail receipt is filed in the case.**

(C) **When service is by publication, within forty-five (45) days of the first publication of notice.**

(7) Failure to File.

(A) The commission, on its own motion or that of any party, may order a remedy for respondent's failure to file an answer or other responsive pleading, or failure to otherwise comply with this rule, **as set forth at rule 1 CSR 15-3.425.**

(C) *[Remedies]* **In addition to the remedies set forth in rule 1 CSR 15-3.425, remedies** under this section may include an order that respondent is deemed to have—

1. Admitted the facts pleaded in the complaint;
2. Waived any defense to the complaint; and
3. Defaulted on any issue raised in the complaint.

AUTHORITY: section 621.198, RSMo [2000] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION

Division 15—Administrative Hearing Commission Chapter 3—[Sales and Use and Income Tax Cases Under Section 621.050, RSMo, and All Other Contested Cases, Except Licensing Cases Under Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.390 Intervention. The commission is amending sub-section (2)(C).

PURPOSE: This amendment adapts the language of the rule to persons who are legal entities.

(2) A motion to intervene shall—

(C) Be signed by the person or *[his/her]* **the person's** attorney;

AUTHORITY: section [628.198] 621.198, RSMo [1986] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 1—OFFICE OF ADMINISTRATION

Division 15—Administrative Hearing Commission Chapter 3—[Sales and Use and Income Tax Cases Under Section 621.050, RSMo, and All Other Contested Cases, Except Licensing Cases Under Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.410 Closing of Case Records and Hearings. The commission is amending the Purpose and the text of the rule.

PURPOSE: This amendment clarifies that the Administrative Hearing Commission must have legal authority to close records or hearings, and requires a motion under this rule to cite such legal authority.

PURPOSE: This rule describes the procedure for closing records or a hearing in a particular case, **but does not constitute legal authority for closing a record or hearing.**

Any party to a case may move to close any record or hearing in that case. The *[party shall take the]* motion **shall be** in writing. *[and]* **The party shall** file it no fewer than fourteen (14) days before the date the party wants the matter closed. **The motion shall cite the legal authority under which the commission may close the record or hearing.**

AUTHORITY: section 621.198, RSMo [1986] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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Section 621.045, RSMo] Procedural Regulations**

PROPOSED AMENDMENT

1 CSR 15-3.420 Discovery. The commission is amending subsections (2)(A) and (C) and adding a new section (5).

PURPOSE: This amendment alters the prescribed certificates of service to accommodate a party without an attorney and reflect filing dates in the twenty-first century, and clarifies the how to enforce discovery.

(2) *[Requests for Admissions, Interrogatories and Requests for Production or Inspection]* **Written Interrogatories; Production of Documents or Things or Permission to Enter Upon Land or Other Property, For Inspection and Other Purposes; and Physical and Mental Examinations.**

(A) A *[pay]* party serving *[requests for admissions, interrogatories and requests for production or inspection]* **written interrogatories; production of documents or things or permission to enter upon land or other property, for inspection and other purposes; and physical and mental examinations,** shall include a certificate of service in substantially the following form:

I served the original and *(number of)* copies of these *[(interrogatories/requests for admissions)] (written interrogatories/ production of documents or things or permission to enter upon land or other property, for inspection and other purposes/physical and mental examinations/requests for admission)* on *(name of parties)* this _____ day of _____, [19] 20 _____.

*[Attorney _____]
(Signature)*

The party shall file a copy of the certificate with the commission. The party shall not file *[interrogatories or requests for document production or inspect]* **written interrogatories; production of documents or things or permission to enter upon land or other property, for inspection and other purposes; and physical and mental examinations** with the commission unless the commission so orders. The party may file requests for admissions with the commission. The party shall serve the original discovery on the interrogated party's counsel or on an unrepresented interrogated party, and copies on all other counsel or unrepresented parties.

(C) The party responding to requests for admissions or interrogatories shall complete them by typewriting or printing the answer or objection to each question in the space provided. If the space is insufficient, the party shall reply by affidavit, clearly indi-

cate so in the space provided, and attach the affidavit to the interrogatories or requests for admissions. Each response shall include a certificate of service in substantially the following form:

I served the original of these completed *[(interrogatories/requests for admissions)] (written interrogatories/requests for admission)* on *(name of party)* and sent *(number of)* copies to *(name of parties)* this _____ day of _____, [19] 20 _____.

*[Attorney _____]
(Signature)*

The responding party shall file the certificate of service with the commission and shall not file the response unless the commission so orders. The responding party shall serve the original completed response on the interrogating party and copies on all other parties.

(5) No discovery order that requires a physical or mental examination, permits entrance upon land or inspection of property without permission of the owner, or purports to hold any person in contempt shall be enforceable, unless the party seeking such enforcement obtains an order of the circuit court of the county in which the hearing will be held, or the circuit court of Cole County, at the option of the person seeking enforcement. This section does not apply to a case filed under section 407.822, RSMo Supp. 2001.

AUTHORITY: section 621.198, RSMo [1986] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedural Regulations**

PROPOSED RULE

1 CSR 15-3.425 Sanctions

PURPOSE: This rule combines provisions formerly found in separate regulations.

(1) The commission may impose a sanction on any party for conduct including, without limitation, such party's failure to:

(A) Comply with any order or rule of the commission, including failure to file an answer;

(B) Appear at any hearing; or

(C) Apprise the commission of a current mailing address.

(2) Sanctions available under this rule include without limitation:

(A) Striking all or any part of the party's pleading;

(B) Deeming all or any part of an opposing party's pleading admitted; or

(C) Barring or striking all or any evidence on any issue.

(3) The commission shall determine whether to impose any sanction, and the appropriate degree of such sanction, based on the facts of each case.

AUTHORITY: section 621.198, RSMo Supp. 2001. Original rule filed June 3, 2002.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rule with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

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PROPOSED RESCISSION

1 CSR 15-3.430 Dismissal. This rule described how a case may be dismissed with or without prejudice.

PURPOSE: The commission is rescinding this rule because proposed rule 1 CSR 15-3.440 simplifies and clarifies the procedures described in this rule.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedural Regulations**

PROPOSED RULE

1 CSR 15-3.440 Disposing of a Case Without a Hearing

PURPOSE: This rule provides for disposition by agreed settlement, stipulation, and consent order; motion to dismiss; relief in the nature of judgment on the pleadings and summary judgment as required by section 536.073.3, RSMo 2000; and other procedures.

(1) Settlement. Settlement means agreed settlements and consent agreements. The parties may settle all or any part of the case without any action by the commission, where such settlement is permitted by law. If the parties settle all of the case, petitioner shall file a notice of dismissal as described in section (2) of this rule.

(2) Notice of Dismissal. Petitioner may voluntarily dismiss the complaint as set forth in this section. Petitioner shall effect a voluntary dismissal by filing a notice of dismissal. The notice of dismissal shall state that petitioner dismisses the complaint.

(A) A notice of dismissal dismisses the complaint, and is effective as of the date on which petitioner files it, without any action by the commission.

(B) Petitioner may dismiss the complaint without prejudice:

1. Before the filing of a motion for decision without hearing under section (3) of this rule or the introduction of evidence at the hearing, whichever is earlier, without the commission's leave.

2. After the filing of a motion for decision without hearing under section (3) of this rule or the introduction of evidence at the hearing, whichever is earlier, only with leave of the commission or with written consent of the adverse party. The commission shall grant leave freely when justice so requires.

(3) Summary Determination and Other Decisions Without Hearing. A decision without hearing includes decisions on stipulated facts, consent orders, involuntary dismissals, relief in the nature of judgment on the pleadings, and relief in the nature of summary judgment. It does not include the parties' settlement under section (1) of this rule or petitioner's notice of dismissal under section (2) of this rule. Summary determination includes any motion for a decision without hearing other than a consent order under subsection (C) of this section or involuntary dismissal under subsection (D) of this section. A party may file a motion for a decision without a hearing on all or any part of the complaint.

(A) Timing.

1. In any case, other than those set forth in paragraph 2. of this subsection, a motion for decision without hearing shall be filed no less than forty-five (45) days before the hearing.

2. In any case in which any legal authority other than the commission sets any maximum time for conducting a hearing on the merits of the complaint, no party shall file a motion for decision without hearing without leave of the commission.

(B) Standard. The commission may grant a motion for decision without hearing if undisputed facts entitle any party, including a party who did not file such motion, to a favorable decision on all or any part of the case. A party may establish such material facts by stipulation, the adverse party's pleadings or discovery responses, affidavits, or other evidence admissible under the law. A party's own pleadings do not, alone, establish any fact or put any fact genuinely in dispute.

(C) Consent Orders. Parties seeking a consent order shall submit the case on a motion that includes substantially the following language.

The parties stipulate that (*party*) committed the following conduct:

(*Conduct*).

(*Party*) admits that such conduct is cause for (*the relief sought*) under the following legal authority:

(*Legal Authority*).

Therefore, the parties agree to (*the relief sought*).

The commission may deny any motion for a consent order that does not contain the facts necessary to support the relief sought under the cited legal authority.

(D) Involuntary Dismissal. Involuntary dismissal means a disposition of the case that does not reach the merits of the complaint. Grounds for involuntary dismissal of the complaint include without limitation:

1. Lack of jurisdiction; and

2. The bases for a sanction set forth at regulation 1 CSR 15-3.425.

(E) Argument. On any motion under section (3) of this rule, the commission may allow such written argument as it deems helpful and oral argument as provided in rule 1 CSR 15-3.480.

AUTHORITY: sections 536.073, RSMo 2000 and 621.198, RSMo Supp. 2001. Original rule filed June 3, 2002.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rule with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

PROPOSED RESCISSION

1 CSR 15-3.450 Determination of Cases Without Hearing.

This rule provided for disposition of a contested case by stipulation, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings or summary judgment as required by section 536.073, RSMo 1990.

PURPOSE: The commission is rescinding this rule because proposed rule 1 CSR 15-3.440 simplifies and clarifies the procedures described in this rule.

AUTHORITY: sections 536.073.(2) and 621.198, RSMo 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Rescinded: Filed June 3, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under
Section 621.045, RSMo] Procedural Regulations**

PROPOSED AMENDMENT

1 CSR 15-3.470 Prehearing Conferences and Mediation. The commission is amending provisions of this rule.

PURPOSE: This amendment states that the commission may help the parties discuss the possibilities for settlement.

On its own motion or that of any party, the commission may order a prehearing conference to discuss matters pertinent to the [action] case. **The prehearing conference may take the form of a mediation.** All parties or their legal counsels, or both, shall attend the prehearing conference and be prepared to discuss the matters, **including the possibilities for settlement.**

AUTHORITY: section 621.198, RSMo [1986] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under
Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.490 Hearings on Complaints; Default. The commission is amending the purpose, sections (1), (4) and (5), and adding section (6).

PURPOSE: This amendment allows the commission to give the notice of hearing by publication where expressly allowed by statute and sets forth the procedure for default as required by sections 536.060 and 536.073, RSMo 2000.

PURPOSE: This rule describes the procedures for the setting of, continuance of and order of proof in hearings on complaints, and meets the requirement of sections 536.060 and 536.073.3, RSMo 2000, which requires the commission to make rules providing for disposition in the nature of default judgment.

(1) Notice. The commission shall serve **the initial** notice of the place, date and time upon which it will hold the hearing on **an agency's** complaint[, or any notice resetting the hearing] on all parties by certified mail, [regular mail,] or by personal delivery, [or any other method provided by law] **except where notice by publication is expressly authorized by statute.** The commission may serve any other notice of hearing, or any notice resetting the hearing, by certified mail, regular mail, personal delivery, or any other method provided by law.

(4) **Expedited Hearings and Continuances.** The commission may **expedite or** continue the hearing date upon notice to the parties **except as otherwise provided by law.** Any party may [move] **file a motion for an expedited hearing or a continuance.** The motion shall state good cause [for the continuance].

(5) Order of Proof. Regardless of which party has the burden of proof **except where an agency has filed the complaint,** respondent shall present evidence first unless the commission orders otherwise.

(6) **Default. If a party fails to appear at hearing, the party shall be in default.**

(A) **If petitioner defaults, and petitioner has the burden of proof, the commission may dismiss the case for failure to prosecute.**

(B) **If any party defaults, any other party may present evidence, and the defaulting party shall have waived any objection to such evidence. Such evidence shall constitute the sole evidentiary basis for disposition of the case, unless the commission orders otherwise.**

AUTHORITY: section 621.198, RSMo [2000] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001, effective July 30, 2001. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under
Section 621.045, RSMo] Procedural Regulations

PROPOSED AMENDMENT

1 CSR 15-3.580 Certifications of Records. The commission is amending section (2).

PURPOSE: This amendment incorporates the procedure for licensing cases under section 621.045, RSMo 2000, into this chapter, as allowed by section 621.198, RSMo Supp. 2001.

(2) [Filing in the Courts.] **The commission shall certify and transmit the record as follows.**

(A) **Agency. In any case under section 621.110, RSMo 2000, in which the commission finds that there is cause for discipline, the commission shall cause the record to be certified, and transmitted, to the agency.**

[(A)] (B) **Circuit Court.** The commission shall cause the record to be certified to, **and filed with,** a circuit court as provided in Supreme Court Rule 100.01 within thirty (30) days of the date on which it receives a copy of the petition for judicial review as set forth in section 536.110, RSMo [(1986)] **2000.**

[(B)] (C) **Appellate Court.** The commission shall cause the record to be certified to, **and filed with,** an appellate court of original jurisdiction as provided in Supreme Court Rule 100.02 within ninety (90) days of the date on which it receives a copy of the petition for judicial review or notice of appeal as set forth at Supreme Court Rule 100.02(d).

[(C)] **The commission shall file the record with the court.]**

AUTHORITY: section 621.198, RSMo [1986] Supp. 2001. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 8:30 a.m. on August 2, 2002, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than 5:00 p.m. on July 31, 2002.

**Title 1—OFFICE OF ADMINISTRATION
Division 40—Purchasing and Materials Management
Chapter 1—Procurement**

PROPOSED RULE

1 CSR 40-1.090 Waiver of Bidding Procedures for the Purchase of Services for Patients, Residents and Clients

PURPOSE: This rule waives Chapter 34, RSMo, bidding procedures for the purchase of services for patients, residents, and clients.

(1) The commissioner of administration has determined that the Department of Mental Health's services for its patients, residents and clients can best be purchased directly by the department with funds appropriated for that purpose, and that the bidding procedures of Chapter 34, RSMo for such purposes are therefore waived.

AUTHORITY: section 630.405.5, RSMo Supp. 2001. Original rule filed June 3, 2002.

PUBLIC COST: This proposed rule is anticipated to cost state agencies and political subdivisions less than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule is anticipated to cost private entities less than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may submit comments in support of or opposition to this proposed rule. In preparing your comments, please include the regulatory citation and the *Missouri Register* page number. Please explain why you agree or disagree with the proposed change and include alternative language. Written comments must be postmarked or received by August 15, 2002. Comments may be mailed or faxed to Mr. Jason Heldenbrand, Office of Administration, PO Box 809, Jefferson City, MO 65102. The fax number is (573) 751-1212.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 2—Practice and Procedure**

PROPOSED AMENDMENT

4 CSR 240-2.080 Pleadings, Filing, and Service. The commission is adding section (21).

PURPOSE: This amendment will require parties before the Missouri Public Service Commission to file a list of issues in a certain format.

(21) Any list of issues ordered by the commission must contain one (1) or more questions presented for decision, stated in the following form per issue: in three (3) separate sentences, with factual and legal premises, followed by a short question; in no more than seventy-five (75) words; and with enough facts woven in that the commission will understand how the question arises in the case.

(A) The questions must be clear and brief, using the style of the following examples of issue statements, which illustrate the clarity and brevity that the parties should aim for:

1. Example A: The Administrative Procedures Act does not require the same administrative law judge to hear the case and write the final order. ABC Utility Company filed an appeal based on the fact that the administrative law judge who

wrote the final order was not the administrative law judge who heard the case. Is it reversible error for one administrative law judge to hear the case and a different administrative law judge to write the final opinion?

2. Example B: For purposes of establishing rates, ABC Utility Company is entitled to include in its costs expenses relating to items that are used or useful in providing services to its customers. ABC Utility Company has spent money to clean up environmental damages resulting from the operation of manufactured-gas plants some 70 to 80 years ago. Should ABC Utility Company be allowed to include these expenses among its costs in establishing its future natural gas rates?

AUTHORITY: section 386.410, RSMo 2000. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 21, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. Comments should refer to Case No. AX-2002-II8 and be filed with an original and six (6) copies. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area**

PROPOSED RESCISSION

10 CSR 10-2.280 Control of Emissions From Perchloroethylene Dry Cleaning Installations. This rule established compliance methods, compliance schedules, and exceptions for perchloroethylene dry cleaning installations operating in Clay, Jackson and Platte Counties. The incorporation by reference of the federal Maximum Achievable Control Technology regulation for dry cleaning installations into 10 CSR 10-6.075 has made this regulation redundant. If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan.

PURPOSE: This regulation is proposed for rescission because it has been replaced by 10 CSR 10-6.075. Rescinding this regulation should help eliminate redundant and conflicting requirements. The evidence supporting the need for this proposed rulemaking are: verbal comments received from state and local air inspectors documented in an e-mail, faxed comments from the U.S. Environmental Protection Agency, the definition of perchloroethylene as an organic compound with negligible photochemical reactivity in 40 CFR Part 51.100, and the incorporation by reference of the federal perchloroethylene dry cleaning Maximum Achievable Control Technology regulation into 10 CSR 10-6.075. This evidence is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address

and phone number listed in the Notice of Public Hearing at the end of this rule.

AUTHORITY: Chapter 203, RSMo 1986. Original rule filed March 13, 1980, effective Sept. 12, 1980. Amended: Filed Nov. 10, 1981, effective May 13, 1982. Rescinded: Filed May 21, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., August 29, 2002. The public hearing will be held at the Harry S Truman State Office Building, Room 490, 301 W. High Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Roger D. Randolph, Director, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., September 5, 2002. Written comments shall be sent to Chief, Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

PROPOSED RESCISSION

10 CSR 10-5.320 Control of Emissions From Perchloroethylene Dry Cleaning Installations. This rule established compliance methods, compliance schedules, and exceptions for perchloroethylene dry cleaning installations operating in St. Louis City and Jefferson, St. Charles, Franklin and St. Louis Counties. The incorporation by reference of the federal Maximum Achievable Control Technology regulation for dry cleaning installations into 10 CSR 10-6.075 has made this regulation redundant. If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for removal from the Missouri State Implementation Plan.

PURPOSE: This regulation is proposed for rescission because it has been replaced by 10 CSR 10-6.075. Rescinding this regulation should help eliminate redundant and conflicting requirements. The evidence supporting the need for this proposed rulemaking are: verbal comments received from state and local air inspectors documented in an e-mail, faxed comments from the U.S. Environmental Protection Agency, the definition of perchloroethylene as an organic compound with negligible photochemical reactivity in 40 CFR Part 51.100, and the incorporation by reference of the federal perchloroethylene dry cleaning Maximum Achievable Control Technology regulation into 10 CSR 10-6.075. This evidence is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule.

AUTHORITY: section 643.050, RSMo 1994. Original rule filed March 13, 1980, effective Sept. 12, 1980. Amended: Filed Nov. 10, 1981, effective May 13, 1982. Amended: Filed Oct. 4, 1988, effective March 11, 1989. Rescinded: Filed May 21, 2002.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed rescission will begin at 9:00 a.m., August 29, 2002. The public hearing will be held at the Harry S Truman State Office Building, Room 490, 301 W. High Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Roger D. Randolph, Director, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., September 5, 2002. Written comments shall be sent to Chief, Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.320 Sales Tax Exemption. The commission proposes to amend the Purpose section, sections (3), (4), and (5), subsection (2)(B), and add subsections (1)(C) and (1)(D). If the commission adopts this rule action, it will be the department's intention not to submit this rule action to the Environmental Protection Agency for inclusion in the Missouri State Implementation Plan because this is an administrative rule related to state sales tax exemptions and is not federally enforceable.

PURPOSE: This amendment will set forth a list of automotive parts used for air pollution control purposes that are sales tax exempt and the procedure to claim a sales tax exemption for the listed automotive parts used for air pollution control purposes. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is a letter from retail industry requesting sales tax exemption for automotive parts used for air pollution control and a letter from the Attorney General's Office agreeing that automotive parts used for air pollution control are sales tax exempt. This evidence is available for viewing at the Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule.

PURPOSE: This rule sets forth the criteria used by the **Missouri Air Conservation [c]Commission** to determine eligibility for sales tax exemption for items purchased or leased for the purpose of preventing, abating or monitoring air pollution in accordance with section 144.030.2(14), RSMo.

(1) Applicability.

(C) Eligible applicants who are persons engaged in air pollution control in Missouri may apply for sales tax exemption providing they are not applying for any other sales tax exemption under a different program for the same machinery, equipment, appliances and devices.

(D) Sales Tax Exemption Criteria.

1. The following criteria shall be used to evaluate sales tax exemption requests except automotive parts:

A. The machinery, equipment, appliance and device removes or captures air pollutants from a system or process, or it monitors the levels of the pollutant; and its function within the system or process is limited to removing, capturing, or monitoring air pollution;

B. The machinery, equipment, appliance and device is a portion or all of a system or process pretreating air prior to its discharge into the atmosphere; and

C. Materials and supplies if they are required for the installation, construction or reconstruction of items in subparagraph (3)(B)1.A. and will not be used for other functions.

2. The following automotive parts that are air pollution control devices and/or appliances that are eligible sales tax exempt are:

A. Air injection parts;

B. Air pump check valve;

C. Catalytic converters (universal converters, direct fit converters, converter kits);

D. Exhaust gas recirculation (EGR) valves;

E. Evaporative canister and canister purge valve;

F. Positive crankcase ventilation (PCV) valves; and

G. Smog pumps.

3. The sales tax exemption does not apply to pollution control devices on existing automobiles when purchased new or used. This exemption is for the purchase of replacement parts for an automobile.

4. The director may review new technology not listed above related to automotive parts used to control air pollution for possible exemption.

(2) Definitions.

(B) Definitions *[for other]* of certain terms *[used]* specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020/(2)/.

(3) General Provisions. This section sets forth the processes used by the Missouri Department of Natural Resources to evaluate applications for sales/use tax exemption certificates for items purchased or leased for the purpose of air pollution control. Application processes are as follows:

(A) *[The following criteria shall be used to evaluate applications for sales tax exemption:]* Applications for sales/use tax exemption certificates (other than for automotive parts)—

1. The machinery, equipment, appliance and device removes or captures air pollutants from a system or process, or it monitors the levels of the pollutant; and its function within the system or process is limited to removing, capturing, or monitoring air pollution;

2. The machinery, equipment, appliance and device is a portion or all of a system or process pretreating air prior to its discharge into the atmosphere; and

3. Materials and supplies if they are required for the installation, construction or reconstruction of items in subsection (1)(A) and will not be used for other functions.]

[(B) Sales tax exemption applications for air pollution machinery and material shall be submitted on forms provided by the department. There is a maximum two (2)-year time limit from date of purchase on applications.]

1. Machinery, equipment, appliances, and devices purchased or leased and used solely for the purpose of preventing,

abating, or monitoring air pollution, and materials and supplies solely required for the installation, construction, or reconstruction of such machinery, equipment, appliances, and devices as provided by this rule shall be submitted on the application form(s) provided by the Missouri Department of Natural Resources. The application shall be submitted to the Missouri Department of Natural Resources, Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102.

[(C)] 2. The department will review the application and approve, partially approve, or deny the sales tax exemption request. If approved or partially approved, the department will notify the Missouri Department of Revenue which will forward a *[State of]* Missouri *[Exemption from Missouri]* Sales *[and]* Use Tax *[on Purchases certificate]* Exemption Certificate for Pollution Control to the applicant. If the application is denied, the department shall send a written *[notice]* registered letter to the applicant. Applicants who are denied a *[sales tax exemption]* certification shall have a period of thirty (30) days from the issuance of the notice of denial to appeal such denial to the Missouri Air Conservation Commission, P./O./ Box 176, Jefferson City, MO 65102-0176. *[An additional three (3) days will be added for mail time for a total of thirty-three (33) days from the denial issuance.]*

3. There is a three (3)-year time limit from the date of the purchase or the lease to file an application for a sales tax refund with the Missouri Department of Revenue. The filing of a request for an exemption certificate does not constitute an application for a refund. See Department of Revenue regulations for the refund procedure.

(B) Sales tax exemption applications for automotive parts— The retailer and purchaser of eligible sales tax exempt automotive parts shall complete the Missouri Department of Revenue form Sales/Use Tax Exemption Certificate at the point of sale.

(4) Reporting and Record Keeping *[(not applicable)]*. The seller and purchaser shall retain the completed Sales/Use Tax Exemption Certificate for audit purposes for five (5) years.

(5) Test Methods. *[(not applicable)]* (Not Applicable)

AUTHORITY: section 643.050, RSMo *[Supp. 1996]* 2000. Original rule filed Dec. 13, 1996, effective July 30, 1997. Amended: Filed May 24, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., September 26, 2002. The public hearing will be held at the Kansas City Marriott Downtown, Andy Kirk A/B Room, 200 W. 12th Street, Kansas City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Roger D. Randolph, Director, Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., October 3, 2002. Written comments shall be sent to Chief, Planning Section, Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

PROPOSED AMENDMENT

11 CSR 45-5.183 Cards—Specifications. The commission is amending subsection (1)(J).

PURPOSE: This amendment reduces from six to two the number of visually distinguishable card backings required for cards used in the game of poker.

(1) Unless otherwise approved by the commission, all cards used for gambling games must meet the following specifications:

(J) Each Class A licensee which elects to offer the game of poker shall be required to have and use on a daily basis at least ~~[six (6)]~~ **two (2)** visually distinguishable card backings for the cards to be used at the game of poker. These card backings may be distinguished, without limitation, by different logos, different colors or different design patterns.

AUTHORITY: sections 313.004, 313.805, 313.830], *RSMo 1994]* and 313.845, *RSMo [Supp. 1999] 2000*. Original rule filed Dec. 17, 1996, effective Aug. 30, 1997. Amended: Filed July 3, 2000, effective Feb. 28, 2001. Amended: Filed May 29, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m., August 8, 2002, at the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, MO 65109.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED RULE

11 CSR 45-30.570 Price Reporting

PURPOSE: This rule establishes price-reporting requirements for manufacturers and suppliers of bingo paper and pull-tabs to facilitate compliance with section 313.025(2), *RSMo*.

(1) Licensed manufacturers shall submit a list of all bingo paper and bingo pull-tab products intended to be marketed, sold, or distributed in this state and the price of each to the commission no later than the last calendar day of each March, June, September, and December. New applicants for a manufacturer's license shall submit a price list with their license application.

(2) Price lists shall include the prices charged to licensed suppliers including any special offers, discounts, or rebates and any price ranges associated with special offers, discounts, or rebates. Price lists for bingo paper shall clearly reflect the cost per thousand for each type, i.e., collated or straight stock, whether the border is

colored, striped, or plain, etc. Pull-tab price lists shall reflect the cost per ticket charged to licensed suppliers for each type of ticket, i.e., three (3)-window, five (5)-window, etc. Pricing information shall be reported in a format prescribed by the commission.

(3) Manufacturers shall submit proposed price changes in writing so the information is received by the commission at least ten (10) days prior to the effective date of the change.

(4) When any bingo supplies will be sold by a licensed supplier below the price paid for the supplies, the supplier shall submit the following information in writing so the information is received by the commission at least ten (10) days prior to the effective date of the sale: the original purchase price, the sale price to be charged, and the reason for selling the supplies at a loss.

AUTHORITY: section 313.065, *RSMo 2000*. Original rule filed May 29, 2002.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Public Safety, Missouri Gaming Commission, Bingo Division, PO Box 1847, 3417 Knipp Dr., Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. Private entities who feel there is cost which exceeds five hundred dollars (\$500) associated with this rule, are requested to submit the cost (estimated or actual, if available) with the comments. Public hearing is scheduled for 10:00 a.m., August 8, 2002, in the commission hearing room, 3417 Knipp Dr., Jefferson City, Missouri.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 20—Pharmacy Program**

PROPOSED AMENDMENT

13 CSR 70-20.200 Drug Prior Authorization Process. The division is amending this rule by adding section (8).

PURPOSE: This amendment clarifies the process by which existing drugs included in the Medical Assistance Program may be restricted.

(8) When implementing the provisions of section (3), Missouri-specific data shall include the consideration of use and cost data, pharmacoeconomic information and prudent utilization of state funds, and may include medical and clinical criteria.

AUTHORITY: sections 208.153], *RSMo Supp. 1991]* and 208.201, *RSMo [Supp. 1987] 2000*. Original rule filed Feb. 3, 1992, effective Aug. 6, 1992. Emergency amendment filed May 22, 2002, effective June 1, 2002, expires Nov. 27, 2002. Amended: Filed June 3, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Director, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 20—Pharmacy Program**

PROPOSED RULE

13 CSR 70-20.250 Prior Authorization of New Drug Entities or New Drug Dosage Form

PURPOSE: This rule outlines the process by which new drugs or new drug dosage forms of existing drugs may be subject to prior authorization prior to payment by the Missouri Medical Assistance Program.

(1) New drug entities, and new drug product dosage forms of existing drug entities, that have been approved by the Food and Drug Administration and are available on the market, shall comply with prior authorization requirements imposed by the division, in compliance with federal law.

(2) Prior authorization restrictions shall continue on new drug entities and new drug product dosage forms of existing drugs until reviewed by the division and the division eliminates the restriction or makes a final determination to require restriction. The division shall consider known cost and use data, medical and clinical criteria, and prudent utilization of state funds in the review. Interested parties may present clinical data to the division.

(3) The review referenced in section (2) shall occur within thirty (30) business days after the division receives notice through pricing updates of the availability of the drug entity on the market. Upon completion of the review, the division shall make the drug available for use by all Medicaid recipients or refer the new drug or new drug dosage form to the Medicaid Drug Prior Authorization Committee (MDPAC) with a recommendation for continued prior authorization. Staff recommendations regarding continued prior authorization of a new drug or new drug dosage form shall be made in writing to the MDPAC. A copy shall be available to the public prior to the MDPAC meeting in which the continued prior authorization is to be discussed.

(4) The MDPAC shall consider any recommendations related to continued prior authorization of a new drug or new drug dosage form at the next scheduled MDPAC meeting. The division and the MDPAC may actively seek comments about the proposed restrictions. The MDPAC shall include a minimum of fifteen (15) minutes for interested parties to comment about such proposed restrictions.

(5) If the MDPAC finds that use and cost data, pharmacoeconomic information, along with medical and clinical implications of restriction, are documented and restriction is warranted, the MDPAC shall hold a public hearing regarding the continued restriction and make a recommendation to the division. Such recommendation shall be provided to the division, in writing, prior to

the division making a final determination. The division shall provide notice of the final determination through the Department of Social Services, Division of Medical Services website at www.dss.state.mo.us/dms, provider bulletins, and updates to the provider manual.

(6) If, after the hearing referenced in section (5) above, prior authorization of the new drug or new drug dosage form is required, the prior authorization requirement shall be reviewed at least once every twelve (12) months by the MDPAC.

AUTHORITY: sections 208.153 and 208.201, RSMo 2000. Emergency rule filed May 22, 2002, effective June 1, 2002, expires Nov. 27, 2002. Original rule filed June 3, 2002.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Director, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication in the Missouri Register. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 140—Division of Finance

Chapter 1—Organization and Description of Division

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-1.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 456-457). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on April 22, 2002, and the public comment period ended April 14, 2002. At the public hearing, the commissioner of finance called for any comments on this amendment and one (1) comment was made and given consideration.

COMMENT: Harry Gallagher with the Mortgage Bankers Association of Missouri noted, in part, that section (1) referred to the Division of Finance as being solely responsible for the regulation of, among many other types of lenders, mortgage bankers and this is incorrect. The comment also noted that the subsection des-

ignated by the renumbering as subsection (9), in stating that mortgage bankers are subject to licensing per Chapter 443 is incorrect. **RESPONSE AND EXPLANATION OF CHANGE:** The revised version of this amendment reflects corrections of both of these errors.

4 CSR 140-1.010 General Organization

(1) The Division of Finance is solely responsible for the regulation, at the state level, of state-chartered banks and trust companies, state-chartered savings and loans, consumer credit lenders or small loan companies, financing institutions subject to the Financing Institution Licensing Law, sales finance companies subject to the Motor Vehicle Time Sales Law, sale of checks (money order) companies, mortgage broker companies, title loan companies, payday loan companies, and any development finance corporation organized under Chapter 371, RSMo. The division also has some regulatory responsibilities toward mortgage bankers per sections 408.570-408.600, RSMo.

(9) Mortgage brokers are subject to licensing per sections 443.800-443.893, RSMo and, along with mortgage bankers, to the antidiscrimination provisions of sections 408.570-408.600, RSMo which require filing of certain documents with the Division of Finance on an annual basis.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 140—Division of Finance

Chapter 2—Banks and Trust Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-2.067 Community Development Corporations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 457-458). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 140—Division of Finance

Chapter 2—Banks and Trust Companies

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

4 CSR 140-2.070 Accounting for Other Real Estate is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on

March 15, 2002 (27 MoReg 458). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 140—Division of Finance
Chapter 10—Bank Holding Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board rescind a rule as follows:

4 CSR 140-10.010 Regional Interstate Banking is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 15, 2002 (27 MoReg 458). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 140—Division of Finance
Chapter 10—Bank Holding Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board adopt a rule as follows:

**4 CSR 140-10.030 Acquisition of Missouri-Based Banks by
Holding Companies is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 458–459). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 140—Division of Finance
Chapter 12—Sale of Checks (Money Order) Licensees**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board amend a rule as follows:

**4 CSR 140-12.010 Sale of Checks (Money Order) Bonds is
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 461–462). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 140—Division of Finance
Chapter 13—Section 408.510 Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board adopt a rule as follows:

**4 CSR 140-13.010 Licensing Requirements and General
Provisions is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 462). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 140—Division of Finance
Chapter 29—Title Loan Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board adopt a rule as follows:

**4 CSR 140-29.010 Licensing, Record Keeping and General
Provisions is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 463–464). No changes have been made in the text of the proposed rule so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

**Division 50—Division of School Improvement
Chapter 340—Missouri School Improvement Program**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092(2), 163.021(2), 163.031, RSMo 2000 and 163.011,

RSMo Supp. 2001, the board withdraws a proposed rescission as follows:

5 CSR 50-340.050 Policies and Standards for Summer School Programs is withdrawn.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2002 (27 MoReg 555). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: The State Board of Education received a number of comments opposing the rescission and questioning the effective date.

RESPONSE: The State Board of Education has carefully reviewed the comments and is withdrawing the proposed rescission.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 50—Division of School Improvement
Chapter 340—Missouri School Improvement Program**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 163.021 and 163.031, RSMo 2000 and 163.011, RSMo Supp. 2001, the board withdraws a proposed rule as follows:

5 CSR 50-340.050 Policies and Standards for Summer School Programs is withdrawn.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 1, 2002 (27 MoReg 555-558). This proposed rule is withdrawn.

SUMMARY OF COMMENTS: The State Board of Education received a number of comments opposing the proposed rule and questioning the effective date.

RESPONSE: The State Board of Education has carefully reviewed the comments and is withdrawing the proposed rule.

**Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 50—Workers' Compensation
Chapter 8—Tort Victims**

ORDER OF RULEMAKING

By the authority vested in the Division of Workers' Compensation under section 537.693, RSMo Supp. 2001, the division adopts a rule as follows:

8 CSR 50-8.010 Rules Governing Tort Victims is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 315-318). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rule was held on March 25, 2002, and the public comment period ended on March 25, 2002. The division staff was present at the public hearing. However, no members of the public appeared at the public hearing. The division received three (3) written comments on the proposed rule. Steven W. White, Attorney at Law, submit-

ted a written comment on behalf of the Missouri Association of Trial Attorneys. Robert H. Sihnhold, Attorney at Law, submitted a written comment. Administrative Law Judge Matthew Vacca submitted written comments. The comments focused on venue, distinguishing between actual damages and punitive damages, attorney's fees and cross claims or counterclaims or setoffs on cases where the circuit court final judgment is waived.

COMMENT: The Missouri Association of Trial Attorneys (MATA) commented on 8 CSR 50-8.010 section (5) concerning venue for evidentiary hearings. MATA states that the hearings should not be restricted to the division's Jefferson City office as it would be difficult for victims scattered throughout the State to travel to the Jefferson City office.

RESPONSE: The division believes that all claims will be administratively processed and reviewed in the Jefferson City office. The division does not expect a large volume of cases to proceed to evidentiary hearing. Therefore, the division makes no changes based upon this comment.

COMMENT: Robert H. Sihnhold commented on the venue for evidentiary hearings stating that it would place an undue burden on people to travel to Jefferson City when the case could be set following the venue rules of the workers' compensation law.

RESPONSE: The division believes that all claims will be administratively processed and reviewed in the Jefferson City office. The division does not expect a large volume of cases to proceed to evidentiary hearing. Therefore, the division makes no changes based upon this comment.

COMMENT: Administrative Law Judge Vacca commented on the venue for evidentiary hearings stating it is burdensome and unnecessary and hearings should be held similar to the crime victim's cases.

RESPONSE: The division believes that all claims will be administratively processed and reviewed in the Jefferson City office. The division does not expect a large volume of cases to proceed to evidentiary hearing. Therefore, the division makes no changes based upon this comment.

COMMENT: Administrative Law Judge Vacca commented that there should be a distinction between the actual and punitive damages and the funds should not be used to pay punitive damages.

RESPONSE: The division believes that there is no specific statutory authority to permit a distinction between the actual and punitive damages that will be awarded. The division will evaluate each case and complete its administrative review based upon the statutory provisions and the criteria established by the rules. The division makes no change based upon this comment.

COMMENT: Administrative Law Judge Vacca commented that the division has been granted broad powers to regulate attorney's fees.

RESPONSE: The division makes no changes based upon this comment as the division believes that 8 CSR 50-8.010 section (8) dealing with attorney's fees is consistent with the statutory provisions set forth in sections 537.675 through 537.693, RSMo Supp. 2001.

COMMENT: Administrative Law Judge Vacca commented that the proposed rule does not address cross claims, counter claims or setoffs and there is no provision for assessing comparative fault with regard to a judgment that has been waived in the circuit court, if the case proceeds to an evidentiary hearing before the division's administrative law judge.

RESPONSE: The division makes no changes based upon this comment as the proposed rule requires the claimant to file an affidavit establishing the basis upon which the requirement of a final judgment should be waived in accordance with section 537.678.2, RSMo. In addition, section 537.681(2), RSMo provides that an

uncompensated tort victim is entitled to compensation for the net amount awarded by a judge or jury in the event the uncompensated tort victim is found to be personally liable on a cross-complaint of tort, or found to have been contributorily or comparatively negligent. The division believes that the evidence presented at the evidentiary hearing before the administrative law judge will provide sufficient basis to determine issues such as comparative fault or setoffs.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management
Commission
Chapter 3—Hazardous Waste Management System:
General

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 260.395, RSMo 2000, the commission amends a rule as follows:

10 CSR 25-3.260 Definitions, Modifications to Incorporations and Confidential Business Information **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2002 (27 MoReg 110-111). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on February 19, 2002, the department testified that Senate Bill 577 was passed by the 2000 General Assembly. Part of the bill requires applicants for a hazardous waste transporter license to pay a fee consisting of an annual application fee, plus an annual use fee based upon tonnage, mileage, or a combination of both. Currently, license applicants pay a fee that is calculated on a flat "per vehicle" basis. This fee is reflected in 10 CSR 25-12.010 as currently written. There were two reasons for changing the method by which the license fee is calculated. First, flat "per vehicle" fees have been successfully challenged in other states because they favor in-state transporters over out-of-state transporters. For example, a vehicle operating exclusively in Missouri throughout the year is assessed the same per vehicle fee as a vehicle only coming to Missouri once or twice a year. The intent of utilizing a use-based fee is to apportion the fee that a hazardous waste transporter pays based upon the actual amount of hazardous waste transported to, from, or through Missouri. Second, the change in calculation of the license fee was intended to increase the total revenues generated by hazardous waste transporter license fees, as authorized by the General Assembly in Senate Bill 577.

A Vice President from Safety Kleen Corporation, a licensed hazardous waste transporter, testified in support of the proposed amendments. Specifically, Safety Kleen noted their support for the inclusion of a fee cap in the proposed licensing system. Safety Kleen testified that, without a fee cap, the increased fees would be passed on to the customers. They further testified that the amendments were carefully drafted with significant stakeholder involvement and that, as a result, they were satisfied with the revisions to the licensing system.

SUMMARY OF COMMENTS: No written comments were received and, therefore, no changes were made as a result of comments.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management
Commission
Chapter 6—Rules Applicable to Transporters of
Hazardous Waste

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 260.395, RSMo 2000, the commission amends a rule as follows:

10 CSR 25-6.263 Standards for Transporters of Hazardous Waste **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2002 (27 MoReg 112-115). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on February 19, 2002, the department testified that Senate Bill 577 was passed by the 2000 General Assembly. Part of the bill requires applicants for a hazardous waste transporter license to pay a fee consisting of an annual application fee, plus an annual use fee based upon tonnage, mileage, or a combination of both. Currently, license applicants pay a fee that is calculated on a flat "per vehicle" basis. This fee is reflected in 10 CSR 25-12.010 as currently written. There were two reasons for changing the method by which the license fee is calculated. First, flat "per vehicle" fees have been successfully challenged in other states because they favor in-state transporters over out-of-state transporters. For example, a vehicle operating exclusively in Missouri throughout the year is assessed the same per vehicle fee as a vehicle only coming to Missouri once or twice a year. The intent of utilizing a use-based fee is to apportion the fee that a hazardous waste transporter pays based upon the actual amount of hazardous waste transported to, from, or through Missouri. Second, the change in calculation of the license fee was intended to increase the total revenues generated by hazardous waste transporter license fees, as authorized by the General Assembly in Senate Bill 577.

A Vice President from Safety Kleen Corporation, a licensed hazardous waste transporter, testified in support of the proposed amendments. Specifically, Safety Kleen noted their support for the inclusion of a fee cap in the proposed licensing system. Safety Kleen testified that, without a fee cap, the increased fees would be passed on to the customers. They further testified that the amendments were carefully drafted with significant stakeholder involvement and that, as a result, they were satisfied with the revisions to the licensing system.

SUMMARY OF COMMENTS: No written comments were received and, therefore, no changes were made as a result of comments.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 25—Hazardous Waste Management
Commission
Chapter 12—Hazardous Waste Fees and Taxes

ORDER OF RULEMAKING

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 260.395, RSMo 2000, the commission amends a rule as follows:

10 CSR 25-12.010 Fees and Taxes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2002 (27 MoReg 115-120). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF TESTIMONY: During the public hearing before the Missouri Hazardous Waste Management Commission on February 19, 2002, the department testified that Senate Bill 577 was passed by the 2000 General Assembly. Part of the bill requires applicants for a hazardous waste transporter license to pay a fee consisting of an annual application fee, plus an annual use fee based upon tonnage, mileage, or a combination of both. Currently, license applicants pay a fee that is calculated on a flat "per vehicle" basis. This fee is reflected in 10 CSR 25-12.010 as currently written. There were two reasons for changing the method by which the license fee is calculated. First, flat "per vehicle" fees have been successfully challenged in other states because they favor in-state transporters over out-of-state transporters. For example, a vehicle operating exclusively in Missouri throughout the year is assessed the same per vehicle fee as a vehicle only coming to Missouri once or twice a year. The intent of utilizing a use-based fee is to apportion the fee that a hazardous waste transporter pays based upon the actual amount of hazardous waste transported to, from, or through Missouri. Second, the change in calculation of the license fee was intended to increase the total revenues generated by hazardous waste transporter license fees, as authorized by the General Assembly in Senate Bill 577.

A Vice President from Safety Kleen Corporation, a licensed hazardous waste transporter, testified in support of the proposed amendments. Specifically, Safety Kleen noted their support for the inclusion of a fee cap in the proposed licensing system. Safety Kleen testified that, without a fee cap, the increased fees would be passed on to the customers. They further testified that the amendments were carefully drafted with significant stakeholder involvement and that, as a result, they were satisfied with the revisions to the licensing system.

SUMMARY OF COMMENTS: No written comments were received and, therefore, no changes were made as a result of comments.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 70—Soil and Water Districts Commission
Chapter 1—Organization

ORDER OF RULEMAKING

By the authority vested in the Soil and Water Districts Commission under sections 278.070.4 and 278.110.8, RSMo 2000; 278.080.1 and 278.080.5(8), RSMo Supp. 2001, the commission amends a rule as follows:

10 CSR 70-1.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2002 (27 MoReg 247). After reviewing the letters of comment received the Soil and Water Districts Commission approved a minor revision in the text of subparagraph (1)(G)1.B. of the proposed amendment, so it will be reprinted in its entirety below. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Four (4) letters of comment were received. One commenter supported the proposed amendment, two (2) commenters opposed the proposed amendment, and one (1) commenter neither supported nor opposed the proposed amendment but made two (2) suggestions for changes in wording. Comments are summarized below with responses.

The statements of the commenter that supported the proposed amendment are summarized as follows.

COMMENT: Our Soil and Water Conservation District Board took action to support the proposed change in the Administrative Rules that would allow certain variances to the rules if proper conditions were met. We feel this is a good option to prevent undue hardship in appropriate situations. We do not feel that the need for variances will happen in many situations but the presence of the "relief valve" could be helpful.

RESPONSE: The Soil and Water Districts Commission appreciates the support given to this rulemaking.

One of the two commenters that opposed the rulemaking stated that there is a state statute that prohibits the involvement of DNR staff in a position of determining regulatory and policy decisions of the commission. Those comments are summarized as follows.

COMMENT: The RSMo 640.010 is the statute that allows DNR to supervise the Missouri Soil and Water Districts Commission. Through this statute, the Soil and Water Conservation Districts Commission was transferred to the Department of Natural Resources under a conditional "Type II Transfer."

The Type II Transfer specifically states that under the condition of this transfer, the Department of Natural Resources is prohibited from involvement related to policies, regulative function and any appeals from the previous transferred commission and the commission established. Under the Statute RSMo 278.080 that DNR is using through the Commission for the authority for this change plainly states that, "Unless prohibited by any Federal or state law, the commission may grant individual variances to any rule or regulation . . ." This rule change as written is in direct conflict with a state law that prohibits the action as being proposed.

RESPONSE: The department disagrees. It is not the intent of this rulemaking to circumvent any condition of the type II transfer of the Soil and Water Districts Commission to the Missouri Department of Natural Resources. The amendment to the State Statute, along with this rulemaking was promulgated in order to provide the commission the authority to grant variances to their rules when strict compliance would cause undue hardship and unreasonable impact on Soil and Water Conservation Districts and Missouri landowners that participate in Soil and Water Conservation practices.

Both commenters that opposed the rulemaking question the action based on the wording in subparagraph (1)(G)1.B. that states, "The variance request shall (be) filed with the program director of the Soil and Water Districts Commission; and." Their comments are summarized as follows.

COMMENT: Both commenters believe that the rule, as written, establishes a new position as "program director of the Soil and Water Districts Commission." They state that this position has not been established by the Commission and they feel that it can not be established under the laws that govern and also restricts DNR's legal responsibilities to the Commission and the Soil and Water Districts of Missouri.

RESPONSE AND EXPLANATION OF CHANGE: The wording in subparagraph (1)(G)1.B. was not intended to establish a new position. The position is that of the Director of the Soil and Water Conservation Program. This position is established by State Statute RSMo 640.010 subsection 2. This statute states that the department director shall appoint directors of staff to service each of the policy-making boards or commissions assigned to the department.

In order to avoid confusion the Commission approved the Order of Rulemaking with a minor revision in subparagraph (1)(G)1.B. Rather than stating, "filed with the program director of the Soil and Water Districts Commission; and" it will now state, "filed with the director of the Soil and Water Conservation Program; and."

The statements of the commenter that neither supported nor opposed the proposed amendment are summarized as follows.

COMMENT: Our Soil and Water Conservation District believes it is important to protect the integrity of the Soil and Water Program by maintaining the Soil and Water Commission and the Department of Natural Resources as separate entities. To avoid any wrong perception by the public, we believe (G)1.B. of the proposed rule change should read as follows: "Filed with the program director of the Department of Natural Resources; and." We also believe the word "recommendation" should be changed to "recommendations" in subsection (G)3.

This is to provide options to the Soil and Water Commission in determining solutions to variance problems. Providing alternative solutions to the Soil and Water Commission has worked well in the past and we would like to see this practice continued.

RESPONSE AND EXPLANATION OF CHANGE: The wording in subparagraph (1)(G)1.B. was not intended to combine the Soil and Water Districts Commission and the Department of Natural Resources into one entity. In order to avoid confusion the commission approved the Order of Rulemaking with a minor revision in subparagraph (1)(G)1.B. Rather than stating, "filed with the program director of the Soil and Water Districts Commission; and" it will now state, "filed with director of the Soil and Water Conservation Program; and."

Concerning changing the word "recommendation" to "recommendations" in paragraph (1)(G)3, the Soil and Water Districts Commission feels that it is unnecessary to make this revision. A recommendation may include various options and thus not limited to one alternative.

10 CSR 70-1.010 Organization

(1) The Soil and Water Districts Commission is a state agency created by section 278.080, RSMo 2000 for the administration of the soil and water conservation districts provided for in sections 278.060–278.300, RSMo (1986). The commission is comprised of five (5) persons and operates with an assigned staff as an agency within the Department of Natural Resources. Its primary responsibility is the determination of policies and procedures to be used by soil and water conservation districts. In addition, the Soil and Water Districts Commission has the authority and responsibility to—

(G) Unless prohibited by any federal or state law, the commission may grant individual variances to Soil and Water Districts Commission rules upon presentation of adequate proof, that compliance with sections 278.070 to 278.300, or any rule or regulation, standard, requirement, limitation or order of the commission will have an arbitrary and unreasonable impact on landowners participating in soil and water conservation eligible practices. In determining under what conditions and to what extent a variance may be granted, the commission shall exercise a wide discretion in weighing the equities involved as well as the advantages and disadvantages in approving or disapproving a request for a variance.

1. The variance request shall:

A. Be in writing;

B. Filed with the director of the Soil and Water Conservation Program; and

C. Set out reasons the applicant believes a variance should be granted.

2. The burden shall be placed on the applicant of a variance to show the inequities if the variance is not granted.

3. The program director shall promptly investigate the application and make a recommendation to the commission after the application is received as to whether the variance should be granted or denied.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 4—Licenses

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004 and 313.850, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-4.260 Occupational Licenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2002 (27 MoReg 405–406). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-30.355 Sale of Pull-Tab Cards by Bingo Licensees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2002 (27 MoReg 406). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 43—Investment of Nonstate Funds

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 136.120, RSMo 2000, the director amends a rule as follows:

12 CSR 10-43.030 Collateral Requirements for Nonstate Funds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 464–465). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.015 Administration and Command of the Private Security Section is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 466-467). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.025 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 467). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.035 Licensing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 467-468). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.045 Personnel Records and Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 469). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.055 Training is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 469-470). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.065 Authority is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 470). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.075 Duties is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 470-471). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.085 Uniforms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 471-472). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.095 Equipment is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 472). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.105 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 472-473). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Under section 84.340 of the Revised Statutes of the State of Missouri, the Board of Police Commissioners has the authority to regulate and license all private personnel serving or acting as such in the City of St. Louis. The board establishes procedures, training requirements and fees in addition to administering discipline for those persons currently holding a private security officer license. The board also establishes procedures and requirements for those persons wishing to use firearms in the performance of their duties. All of the board's rules governing licensing of private security officers are incorporated within the state of *Missouri Code of State Regulations* under Title 17, which is maintained by the Secretary of State for the State of Missouri.

RESPONSE AND EXPLANATION OF CHANGE: It is recommended that subsection (F) be approved to Title 17, 20-2.105, "Weapons" of the *Missouri Code of State Regulations*. Once approved by the board, that the St. Louis Police Department Legal Section initiate the necessary legal action to have the *Missouri Code of State Regulations* reflect this new section. Finally, the new information be printed and distributed to all person currently holding a Private Security License and to all persons issued a license in the future.

17 CSR 20-2.105 Weapons

(4) Inspection and Registration. All firearms used by private security officers must be inspected by the department armorer or his/her designee and must be registered and on file in the private security section. Armed security officers may only use a duty weapon which is personally owned by them, or owned by their agency.

(F) Notwithstanding the foregoing, any deviation from the mandates of this subsection shall be made on an ad hoc basis, for good cause, only by written order of the chief of police with the consent of the Board of Police Commissioners.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.115 Field Inspection is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 474). No changes have been made in

the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

**17 CSR 20-2.125 Complaint/Disciplinary Procedures
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 474-475). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 20—St. Louis Board of Police Commissioners
Chapter 2—Private Security Officers**

ORDER OF RULEMAKING

By the authority vested in the St. Louis Board of Police Commissioners under section 84.340, RSMo 2000, the secretary amends a rule as follows:

17 CSR 20-2.135 Drug Testing is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 475-476). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 10—Office of the Director
Chapter 4—Coordinated Health Care Services**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 191.411, RSMo Supp. 2001, the department adopts a rule as follows:

**19 CSR 10-4.050 Healthy Communities Incentive Program is
adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 482-485). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule

becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 15—Division of Senior Services
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Senior Services under section 660.050, RSMo Supp. 2001, the director hereby amends a rule as follows:

**19 CSR 15-4.050 Funding Formula and Fiscal Management is
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2002 (27 MoReg 486-492). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 25—Division of Administration
Chapter 38—Laboratory Fees**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under section 701.322, RSMo Supp. 2001, the director adopts a rule as follows:

**19 CSR 25-38.020 Laboratory Fee for Tuberculosis Testing is
adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2002 (27 MoReg 408-409). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 341-342). No changes have been made in the text

of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 342-343). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments from the public on the proposed rule. However, the department, on its own initiative, makes a pair of changes to the proposed rule as published in the February 15, 2002 edition of the *Missouri Register*. The first change is designed to eliminate the redundancy of asking applicants to submit both age and date of birth. The second change is designed to simplify the application process for seniors.

RESPONSE AND EXPLANATION OF CHANGE: The proposed rule, in section (2), subsection (B), required seniors applying to the program to submit both their current age and their date of birth. Date of birth is sufficient. Accordingly, submission of age is deleted and items of information to which an applicant shall attest in the application listed in subsection (B) are renumbered as indicated below. Also, section (2), subsection (C) is amended. The department, in designing the application, has developed an income worksheet that is intended to be simpler for seniors to fill out while still providing enough of the information from the circuit breaker form to facilitate an eligibility determination. The change to the language of section (2), subsection (C) reflects that goal.

19 CSR 90-1.020 Eligibility and Application Process

(2) Application Process.

(A) The application process includes all activity relating to a request for eligibility determination. It begins with the receipt by the commission of an application and continues until there is an official written disposition of the request by the third-party administrator.

(B) The application shall require the applicant to attest to the following information:

1. Residence;
2. Any third-party health insurance coverage;
3. Previous year prescription drug costs;
4. Annual household income for an individual or couple, if married;
5. Date of birth;
6. Gender;
7. Race (optional);
8. Social Security number (optional);

9. Self-certification of Missouri residency;
10. Self-certification of household income;
11. Certification and authorization statement; and
12. Signature of applicant or authorized agent.

(C) The applicant shall submit with the application the following documentation:

1. Documentation of residence shall include one (1) of the following: a valid drivers license; a valid Missouri state identification card; certification of residency in a nursing home; or a completed and signed federal, state, or local income tax return with the applicant's name and address preprinted on it.

2. Documentation of age shall include one (1) of the following: birth certificate; delayed birth certificate; certified hospital records; a valid drivers license or a valid Missouri state identification card.

3. Documentation of income shall be in the form required by the commission in the application and shall be substantially equivalent to the documentation required to determine income pursuant to sections 135.010 to 135.035, RSMo.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.030 General Payment Provisions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 343-345). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.040 Claimant's Responsibilities is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 346). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.050 Process for Reenrollment into the Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 346–348). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.060 Authorized Agent is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 349). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.070 Program Identification Card is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 349). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.080 Termination from the Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 349–350). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 1—Eligible Seniors**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-1.090 Appeals Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 350). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 350–351). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.020 Eligibility and Application Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 351). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.030 Responsibilities of Enrolled Participating Pharmacies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 351–352). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.040 Termination or Suspension from the Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 352). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule

becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 90—Missouri Senior Rx Program
Chapter 2—Participating Pharmacies**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 208.553.3(5), RSMo Supp. 2001, the department adopts a rule as follows:

19 CSR 90-2.050 Appeal Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 15, 2002 (27 MoReg 352–353). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rule.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS
OR GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
SLCWC Credit Union 535 N. New Ballas Road St. Louis, MO 63141-6875	Employees of the Missouri American Water Company Located in the State of Missouri and its successor organizations and that employee's immediate family.

NOTICE TO SUBMIT COMMENTS: *Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten (10) business days after publication of this notice in the **Missouri Register**.*

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 10—Nursing Home Program**

NOTICE OF RULE SUSPENSION

RULE SUSPENDED: 13 CSR 70-10.150(1)(B) Enhancement Pools

FORM OF ACTION: Rule Suspension. The *Missouri Constitution* authorizes the governor to control the rate at which appropriations are expended or reduce expenditures below the appropriated amount when actual revenues are less than estimated. The State Fiscal Year (SFY) 2002 revenue projection is expected to be \$750 million less than the original consensus revenue forecast, which was established in December, 2000. This original forecast was the basis upon which the SFY 2002 budget was established by the General Assembly and the governor. The current revenue projection is \$230 million less than the revised consensus revenue forecast, which was established in December, 2001. Attempts to access the Rainy Day Fund were not supported by a super majority in the House, even though accessing the fund was proposed by the governor and supported by the Senate. Subsequently, the Department of Social Services was notified by the governor that monies appropriated in SFY 2002 for nursing facility efficiency grants in the approximate amount of \$20 million would not be available for expenditure. These monies were contained in House Bill 11, Section 11.445. At this time, the Department of Social Services must suspend the rule authorizing the payment of these monies, effective immediately.

ACTION TAKEN: Rule 13 CSR 70-10.150(1)(B) is suspended.

EFFECTIVE DATE: Immediately

DURATION: Period of the Appropriation

PARTIES EFFECTED: All Medicaid enrolled nursing facilities providing services through the remainder of SFY 2002.

OTHER INFORMATION: The economic recession that began last year, along with the market upheaval following the September 11, 2001 terrorist attacks, are considered to be the chief cause of the drop in actual revenues for the state.

AUTHORITY: Missouri Constitution Article IV, Section 27, sections 536.022 and 208.201, RSMo 2000. Rule suspension filed May 22, 2002.

ATTENTION:

Pursuant to the Temporary Restraining Order of Circuit Judge Thomas J. Brown, of the 19th Judicial Circuit, Division I, entered on the 21st day of June 2002, this "NOTICE OF RULE SUSPENSION" is hereby temporarily enjoined from taking effect, until further action by said Court. (Please see Temporary Restraining Order following this page.)

IN THE
CIRCUIT COURT OF COLE COUNTY
NINETEENTH JUDICIAL CIRCUIT
STATE OF MISSOURI

MISSOURI HEALTH CARE ASSOCIATION,)	
et al.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 02CV324451
)	Division No. 1
BOB HOLDEN, Governor,)	
)	
MISSOURI DEPARTMENT OF SOCIAL)	
SERVICES and DANA KATHERINE)	
MARTIN, Its Director,)	
)	
GREGORY VADNER, Director,)	
Division of Medical Services,)	
)	
NANCY FARMER, State Treasurer for the)	
State of Missouri,)	
)	
JACKIE WHITE, Commissioner,)	
Missouri State Office of Administration,)	
)	
And)	
)	
MATT BLUNT, Secretary of State of the)	
State of Missouri,)	
)	
Defendants.)	

TEMPORARY RESTRAINING ORDER

NOW, this 21st day of June, 2002, the Plaintiffs having filed their Motion for Order to Show Cause and Temporary Restraining Order supported by affidavits, and its verified Petition; and notice of the intention of the Plaintiffs to present said Motion to this Court having been personally served upon counsel for the Defendants; and the Defendants being informed in said

Notice of the intention of the Plaintiff to call its Motion for Order to Show Cause and Temporary Restraining Order before this Court; counsel for the Plaintiffs and counsel for the Defendants appearing; and the Court hearing arguments of counsel for the respective parties and considering same; and for purposes of this Order only the Court finding that the Plaintiffs have stated the facts which, if proven, would constitute a cause of action and cause irreparable injury to Plaintiffs and no injury to Defendants, and the parties agreeing to a hearing on this matter before this Court on July 31, 2002, or as soon thereafter as the cause may be heard hereby waive the need for a hearing under Rule 92.02(a)(5) V.A.M.R.; and the parties agreeing that this cause may be submitted for hearing on a Permanent Injunction and Declaratory Judgment(s).

IT IS HEREBY ORDERED by the Court that Defendants Holden, Department, Martin, Vadner, Farmer and White and each of them and each agent, servant, employee, attorney or other person working for or on behalf of Defendants or persons working in active concert or participation with Defendants who receive actual notice of this Order are temporarily restrained from allowing to the greatest extent permitted by law the appropriation authority in 2001 C.C.S.S.C.S.H.C.S. H.B. 11, § 11.445 in the amount of \$20,673,264 to lapse and enjoining the lapse of said funds until further Order of this Court and temporarily enjoining the Notice Of Rule Suspension filed with the Office of the Secretary of State on May 22, 2002, by Defendants Department, Martin and Vadner from taking effect until further Order of this Court.

The Court does hereby find that the Bond herein shall be set in the amount of One Hundred Dollars (\$100.00).

Entered in Jefferson City, Cole County, Missouri, this 21st day of June, 2002, at


_____.m.



CIRCUIT JUDGE

STATE OF MISSOURI } ss
COUNTY OF COLE

I, DEBORAH M. CHESHIRE, Clerk of the Circuit Court of Cole County, Missouri,
herby certify that the above and foregoing is a full true and correct copy of

 22CV324451
as fully on the same remains of record in my said office.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
seal of my said office this 21 day of June 2002

DEBORAH M. CHESHIRE, Clerk


Circuit Court of Cole County, Missouri

Deputy Clerk

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

EXPEDITED APPLICATION REVIEW SCHEDULE

DATE FILED:
APPLICATION PROJECT NO. &
NAME/COST & DESCRIPTION/
CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the July 23, 2002, Certificate of Need meeting. These applications are available for public inspection at the address shown below:

06/07/02

#3236 RS: Perry Oaks Manor
Perryville (Perry County)
\$838,000, Replace 11 residential care
facility I beds

06/10/02

#3265 HS: Missouri Delta Medical Center
Sikeston (Scott County)
\$1,370,000, Replace magnetic resonance
imaging unit

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by July 10, 2002. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact
Donna Schuessler, 573-751-6403.

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B3E02216 Certification Services-Sheltered Workshop Employment 7/1/02;

B3E02219 Speech Pathology Services 7/8/02;

B3E02220 Physical Therapy & Assessment Services 7/8/02;

B3E02203 Aerial Photography & Mapping Services 7/9/02;

B3E02217 Printing: Commercial Driver License Manual 7/10/02;

B3E02229 Printing: 2003 Natural Events Calendar 7/15/02;

B3Z02164 Pharmacy Services 7/15/02;

B3Z02186 Case Management Co-Occurring Substance Abuse & Mental Health Disorders 7/16/02;

B3Z02218 Actuarial Services 8/9/02.

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

1.) McQuay Chiller Maintenance/Supplies, supplied by McQuay Service (a subsidiary of McQuay International).

2.) iServ Facility & Information Services Software Upgrade & Maintenance Support Services, supplied by iServ Systems, Inc.

3.) Mainframe SAS Software Licensing & Maintenance Support Services, supplied by SAS Institute, Inc.

1.) Student Enrollment Status Information, supplied by the National Student Loan Clearing House.

2.) Commodity Supplemental Food Program, supplied by the Bootheel Food Bank.

1.) Pulsed-Field Gel Electrophoresis Instrument, supplied by Bio-Rad Laboratories of Hercules, CA.

2.) Mediation Services, supplied by M.A.R.C.H..

James Miluski, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—25 (2000), 26 (2001) and 27 (2002). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				25 MoReg 2478
				27 MoReg 189
1 CSR 15-2.200	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.210	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.230	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.250	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.270	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.290	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.320	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.350	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.380	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.390	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.410	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.420	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.430	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.450	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.470	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.480	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.490	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.510	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.530	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.560	Administrative Hearing Commission		This IssueR		
1 CSR 15-2.580	Administrative Hearing Commission		This IssueR		
1 CSR 15-3.200	Administrative Hearing Commission		This Issue		
1 CSR 15-3.210	Administrative Hearing Commission		This Issue		
1 CSR 15-3.250	Administrative Hearing Commission		This Issue		
1 CSR 15-3.320	Administrative Hearing Commission		This Issue		
1 CSR 15-3.350	Administrative Hearing Commission		This Issue		
1 CSR 15-3.380	Administrative Hearing Commission		This Issue		
1 CSR 15-3.390	Administrative Hearing Commission		This Issue		
1 CSR 15-3.410	Administrative Hearing Commission		This Issue		
1 CSR 15-3.420	Administrative Hearing Commission		This Issue		
1 CSR 15-3.425	Administrative Hearing Commission		This Issue		
1 CSR 15-3.430	Administrative Hearing Commission		This IssueR		
1 CSR 15-3.440	Administrative Hearing Commission		This Issue		
1 CSR 15-3.450	Administrative Hearing Commission		This IssueR		
1 CSR 15-3.470	Administrative Hearing Commission		This Issue		
1 CSR 15-3.490	Administrative Hearing Commission		This Issue		
1 CSR 15-3.580	Administrative Hearing Commission		This Issue		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel				27 MoReg 847
1 CSR 40-1.090	Purchasing and Materials Management		This Issue		
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.010	Market Development	26 MoReg 1305R			
	26 MoReg 1305			
2 CSR 10-5.015	Market Development	26 MoReg 2217	27 MoReg 451	27 MoReg 1044	
2 CSR 30-2.010	Animal Health	26 MoReg 2257	26 MoReg 2263	27 MoReg 716W	
		27 MoReg 681		
		27 MoReg 966		
2 CSR 30-2.011	Animal Health	27 MoReg 848			
2 CSR 30-2.020	Animal Health		27 MoReg 967		
2 CSR 30-2.040	Animal Health	26 MoReg 2257	26 MoReg 2265	27 MoReg 716W	
		27 MoReg 685		
		27 MoReg 969		
2 CSR 30-6.020	Animal Health	26 MoReg 2258	26 MoReg 2267	27 MoReg 716W	
		27 MoReg 688		
		27 MoReg 970		
2 CSR 70-13.045	Plant Industries	27 MoReg 767	27 MoReg 774		
2 CSR 70-13.050	Plant Industries	27 MoReg 767	27 MoReg 776		
2 CSR 80-5.010	State Milk Board		27 MoReg 396	27 MoReg 1044	
2 CSR 90-10.012	Weights and Measures		27 MoReg 7	27 MoReg 807	
2 CSR 90-10.013	Weights and Measures		27 MoReg 9	27 MoReg 807	
2 CSR 90-10.020	Weights and Measures		27 MoReg 9	27 MoReg 808	
2 CSR 90-10.040	Weights and Measures		27 MoReg 11	27 MoReg 808	
2 CSR 90-20.040	Weights and Measures		27 MoReg 454		
2 CSR 90-22.140	Weights and Measures		27 MoReg 454		
2 CSR 90-23.010	Weights and Measures		27 MoReg 454		
2 CSR 90-25.010	Weights and Measures		27 MoReg 455		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.130	Conservation Commission		27 MoReg 971		
3 CSR 10-4.141	Conservation Commission		27 MoReg 972		
3 CSR 10-5.205	Conservation Commission		27 MoReg 972		
3 CSR 10-5.215	Conservation Commission		27 MoReg 973		
3 CSR 10-5.225	Conservation Commission		27 MoReg 973		
3 CSR 10-5.350	Conservation Commission		27 MoReg 973		
3 CSR 10-5.352	Conservation Commission		27 MoReg 974		
3 CSR 10-5.353	Conservation Commission		27 MoReg 974		
3 CSR 10-5.425	Conservation Commission		27 MoReg 974		
3 CSR 10-5.460	Conservation Commission		27 MoReg 974		
3 CSR 10-5.465	Conservation Commission		27 MoReg 975		
3 CSR 10-5.550	Conservation Commission		27 MoReg 455	27 MoReg 921	
			27 MoReg 975R		
3 CSR 10-5.551	Conservation Commission		27 MoReg 456	27 MoReg 921	
			27 MoReg 975		
3 CSR 10-5.552	Conservation Commission		27 MoReg 976		
3 CSR 10-5.553	Conservation Commission		27 MoReg 976		
3 CSR 10-5.559	Conservation Commission		27 MoReg 976		
3 CSR 10-5.575	Conservation Commission		27 MoReg 976R		
3 CSR 10-5.576	Conservation Commission		27 MoReg 977		
3 CSR 10-5.577	Conservation Commission		27 MoReg 977		
3 CSR 10-5.578	Conservation Commission		27 MoReg 977		
3 CSR 10-6.405	Conservation Commission		27 MoReg 978		
3 CSR 10-6.410	Conservation Commission		27 MoReg 978		
3 CSR 10-6.415	Conservation Commission		27 MoReg 978		
3 CSR 10-6.540	Conservation Commission		27 MoReg 979		
3 CSR 10-6.550	Conservation Commission		27 MoReg 979		
3 CSR 10-6.605	Conservation Commission		27 MoReg 979		
3 CSR 10-7.410	Conservation Commission		27 MoReg 980		
3 CSR 10-7.435	Conservation Commission		N.A.	27 MoReg 1044R	
			N.A.	27 MoReg 1044	
3 CSR 10-7.455	Conservation Commission		27 MoReg 980		
3 CSR 10-8.510	Conservation Commission		27 MoReg 981		
3 CSR 10-8.515	Conservation Commission		27 MoReg 981		
3 CSR 10-9.106	Conservation Commission		27 MoReg 982		
3 CSR 10-9.110	Conservation Commission		27 MoReg 982		
3 CSR 10-9.220	Conservation Commission		27 MoReg 983		
3 CSR 10-9.351	Conservation Commission		27 MoReg 986		
3 CSR 10-9.353	Conservation Commission	27 MoReg 547	27 MoReg 552	27 MoReg 1051	
			27 MoReg 986		
3 CSR 10-9.359	Conservation Commission		27 MoReg 986		
3 CSR 10-9.425	Conservation Commission		27 MoReg 987		
3 CSR 10-9.560	Conservation Commission		27 MoReg 987		
3 CSR 10-9.565	Conservation Commission	27 MoReg 548	27 MoReg 553	27 MoReg 1051	27 MoReg 1062
3 CSR 10-9.566	Conservation Commission	27 MoReg 549	27 MoReg 554	27 MoReg 1051	
3 CSR 10-9.570	Conservation Commission	27 MoReg 988			
3 CSR 10-9.575	Conservation Commission	27 MoReg 988			
3 CSR 10-9.625	Conservation Commission	27 MoReg 988			
3 CSR 10-9.630	Conservation Commission	27 MoReg 989R			
3 CSR 10-9.645	Conservation Commission	27 MoReg 989			
3 CSR 10-10.725	Conservation Commission		N.A.	27 MoReg 1052	
3 CSR 10-10.727	Conservation Commission		N.A.	27 MoReg 1052	
3 CSR 10-10.743	Conservation Commission		27 MoReg 990		
3 CSR 10-11.110	Conservation Commission		27 MoReg 990		
3 CSR 10-11.115	Conservation Commission		27 MoReg 990		
3 CSR 10-11.125	Conservation Commission		27 MoReg 991		
3 CSR 10-11.140	Conservation Commission		27 MoReg 991		
3 CSR 10-11.145	Conservation Commission		27 MoReg 991		
3 CSR 10-11.155	Conservation Commission		27 MoReg 992		
3 CSR 10-11.160	Conservation Commission		27 MoReg 992		
3 CSR 10-11.165	Conservation Commission		27 MoReg 993		
3 CSR 10-11.180	Conservation Commission		27 MoReg 993		
3 CSR 10-11.182	Conservation Commission		27 MoReg 994		
3 CSR 10-11.183	Conservation Commission		27 MoReg 995		
3 CSR 10-11.186	Conservation Commission		27 MoReg 995		
3 CSR 10-11.205	Conservation Commission		27 MoReg 996		
3 CSR 10-11.210	Conservation Commission		27 MoReg 996		
3 CSR 10-11.215	Conservation Commission		27 MoReg 997		
3 CSR 10-12.110	Conservation Commission		27 MoReg 998		
3 CSR 10-12.125	Conservation Commission		27 MoReg 998		
3 CSR 10-12.135	Conservation Commission		27 MoReg 998		
3 CSR 10-12.140	Conservation Commission		27 MoReg 998		
3 CSR 10-12.145	Conservation Commission		27 MoReg 999		
3 CSR 10-20.805	Conservation Commission		27 MoReg 1000		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-2.022	Missouri State Board of Accountancy	26 MoReg 2345	26 MoReg 2348	27 MoReg 812	
4 CSR 10-2.041	Missouri State Board of Accountancy	26 MoReg 2346	26 MoReg 2352	27 MoReg 812	
4 CSR 10-2.061	Missouri State Board of Accountancy	26 MoReg 2346	26 MoReg 2352	27 MoReg 812	
4 CSR 10-2.160	Missouri State Board of Accountancy	26 MoReg 1501	26 MoReg 2353	27 MoReg 813	
4 CSR 30-5.105	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2269	27 MoReg 717	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-5.110	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2269R	27 MoReg 717R	
4 CSR 30-11.015	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2270	27 MoReg 717	
4 CSR 90-2.010	State Board of Cosmetology		27 MoReg 14	27 MoReg 719	
4 CSR 90-2.020	State Board of Cosmetology		27 MoReg 14	27 MoReg 719	
4 CSR 90-2.030	State Board of Cosmetology		27 MoReg 14	27 MoReg 719	
4 CSR 90-4.020	State Board of Cosmetology		27 MoReg 15	27 MoReg 719	
4 CSR 90-8.010	State Board of Cosmetology		27 MoReg 15	27 MoReg 719	
4 CSR 90-12.080	State Board of Cosmetology		27 MoReg 15	27 MoReg 719	
4 CSR 90-13.070	State Board of Cosmetology		27 MoReg 16	27 MoReg 720	
4 CSR 100	Division of Credit Unions				27 MoReg 821
					27 MoReg 923
					27 MoReg 1062
					This Issue
4 CSR 110-2.131	Missouri Dental Board	27 MoReg 549	27 MoReg 554		
4 CSR 110-2.132	Missouri Dental Board		27 MoReg 555		
4 CSR 110-2.170	Missouri Dental Board		27 MoReg 100	27 MoReg 720	
4 CSR 110-2.240	Missouri Dental Board		27 MoReg 104	27 MoReg 720	
4 CSR 140-1.010	Division of Finance		27 MoReg 456	This Issue	
4 CSR 140-2.067	Division of Finance		27 MoReg 457	This Issue	
4 CSR 140-2.070	Division of Finance		27 MoReg 458	This Issue	
4 CSR 140-10.010	Division of Finance		27 MoReg 458R	This IssueR	
4 CSR 140-10.030	Division of Finance		27 MoReg 458	This Issue	
4 CSR 140-11.010	Division of Finance		27 MoReg 459R		
4 CSR 140-11.020	Division of Finance		27 MoReg 459R		
4 CSR 140-11.030	Division of Finance		27 MoReg 459		
4 CSR 140-11.040	Division of Finance		27 MoReg 461		
4 CSR 140-12.010	Division of Finance		27 MoReg 461	This Issue	
4 CSR 140-13.010	Division of Finance		27 MoReg 462	This Issue	
4 CSR 140-29.010	Division of Finance		27 MoReg 463	This Issue	
4 CSR 150-2.030	State Board of Registration for the Healing Arts		27 MoReg 860		
4 CSR 150-2.040	State Board of Registration for the Healing Arts		27 MoReg 860		
4 CSR 150-2.060	State Board of Registration for the Healing Arts		27 MoReg 860		
4 CSR 150-2.080	State Board of Registration for the Healing Arts		27 MoReg 776		
4 CSR 150-2.155	State Board of Registration for the Healing Arts		27 MoReg 861		
4 CSR 150-4.010	State Board of Registration for the Healing Arts		27 MoReg 861		
4 CSR 150-4.060	State Board of Registration for the Healing Arts		27 MoReg 861		
4 CSR 150-6.050	State Board of Registration for the Healing Arts		27 MoReg 862		
4 CSR 150-7.200	State Board of Registration for the Healing Arts		27 MoReg 862		
4 CSR 150-8.060	State Board of Registration for the Healing Arts		27 MoReg 862		
4 CSR 205-1.030	Missouri Board of Occupational Therapy		27 MoReg 18R	27 MoReg 720R	
4 CSR 205-3.010	Missouri Board of Occupational Therapy		27 MoReg 18	27 MoReg 721	
4 CSR 205-3.020	Missouri Board of Occupational Therapy		27 MoReg 18	27 MoReg 721	
4 CSR 210-2.030	State Board of Optometry		27 MoReg 105	27 MoReg 721	
4 CSR 210-2.070	State Board of Optometry		27 MoReg 105	27 MoReg 721	
4 CSR 220-2.020	State Board of Pharmacy		27 MoReg 18	27 MoReg 721	
4 CSR 220-2.085	State Board of Pharmacy				26 MoReg 2433
4 CSR 220-2.650	State Board of Pharmacy		27 MoReg 19	27 MoReg 721	
4 CSR 220-3.040	State Board of Pharmacy		27 MoReg 777		
4 CSR 240-2.075	Public Service Commission		27 MoReg 691		
4 CSR 240-2.080	Public Service Commission		This Issue		
4 CSR 240-2.115	Public Service Commission		27 MoReg 691		
4 CSR 240-2.117	Public Service Commission		27 MoReg 692		
4 CSR 240-13.055	Public Service Commission	26 MoReg 2259			
4 CSR 255-2.010	Missouri Board for Respiratory Care		26 MoReg 2404	27 MoReg 722	
4 CSR 255-2.020	Missouri Board for Respiratory Care		26 MoReg 2404	27 MoReg 722	
4 CSR 255-2.030	Missouri Board for Respiratory Care		26 MoReg 2405	27 MoReg 722	
4 CSR 255-2.050	Missouri Board for Respiratory Care		27 MoReg 780		
4 CSR 255-2.060	Missouri Board for Respiratory Care		27 MoReg 780		
4 CSR 265-8.060	Motor Carrier and Railroad Safety				26 MoReg 2181
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 50-340.030	Division of School Improvement		27 MoReg 693		
5 CSR 50-340.050	Division of School Improvement		27 MoReg 555R	This IssueW	
			27 MoReg 555	This IssueW	
5 CSR 50-340.110	Division of School Improvement		27 MoReg 693		
5 CSR 80-800.360	Teacher Quality and Urban Education		26 MoReg 2290	27 MoReg 723	
5 CSR 80-800.380	Teacher Quality and Urban Education		27 MoReg 559		
5 CSR 80-805.030	Teacher Quality and Urban Education		26 MoReg 2291	27 MoReg 723	
5 CSR 80-850.010	Teacher Quality and Urban Education		27 MoReg 694R		
			27 MoReg 695		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-14.020	Missouri Highways and Transportation Commission		27 MoReg 312		
7 CSR 10-14.030	Missouri Highways and Transportation Commission		27 MoReg 312		
7 CSR 10-14.040	Missouri Highways and Transportation Commission		27 MoReg 313		
7 CSR 10-14.050	Missouri Highways and Transportation Commission		27 MoReg 314		
7 CSR 10-14.060	Missouri Highways and Transportation Commission		27 MoReg 315		
7 CSR 10-23.010	Missouri Highways and Transportation Commission		27 MoReg 1002		
7 CSR 10-23.020	Missouri Highways and Transportation Commission		27 MoReg 1002		
7 CSR 10-23.030	Missouri Highways and Transportation Commission		27 MoReg 1008		

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DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-5.010	Division of Employment Security		27 MoReg 780		
8 CSR 10-5.015	Division of Employment Security		27 MoReg 782		
8 CSR 10-5.030	Division of Employment Security		27 MoReg 785R		
			27 MoReg 785		
8 CSR 10-5.040	Division of Employment Security		27 MoReg 785R		
			27 MoReg 786		
8 CSR 10-5.050	Division of Employment Security		27 MoReg 786		
8 CSR 20-8.010	Labor and Industrial Relations Commission		27 MoReg 399	27 MoReg 1053	
8 CSR 50-8.010	Workers' Compensation		27 MoReg 315		This Issue
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-1.010	Director, Department of Mental Health		27 MoReg 863		
9 CSR 10-5.200	Director, Department of Mental Health	27 MoReg 615	27 MoReg 618		
9 CSR 10-7.020	Director, Department of Mental Health		27 MoReg 108	27 MoReg 813	
9 CSR 10-7.030	Director, Department of Mental Health		27 MoReg 108	27 MoReg 813	
9 CSR 10-7.060	Director, Department of Mental Health		27 MoReg 787		
9 CSR 10-7.070	Director, Department of Mental Health		27 MoReg 788		
9 CSR 10-7.140	Director, Department of Mental Health		27 MoReg 788		
9 CSR 25-2.505	Fiscal Management		27 MoReg 109	27 MoReg 724	
9 CSR 30-3.032	Certification Standards		27 MoReg 620		
9 CSR 30-3.120	Certification Standards		27 MoReg 790		
9 CSR 30-3.132	Certification Standards		27 MoReg 620		
9 CSR 30-3.140	Certification Standards		27 MoReg 790		
9 CSR 30-3.192	Certification Standards		27 MoReg 790		
9 CSR 30-3.206	Certification Standards		27 MoReg 621		
9 CSR 30-4.030	Certification Standards	27 MoReg 219	27 MoReg 226	27 MoReg 814	
9 CSR 30-4.031	Certification Standards	27 MoReg 219	27 MoReg 227	27 MoReg 814	
9 CSR 30-4.032	Certification Standards	27 MoReg 220	27 MoReg 227	27 MoReg 814	
9 CSR 30-4.034	Certification Standards	27 MoReg 221	27 MoReg 228	27 MoReg 814	
9 CSR 30-4.035	Certification Standards	27 MoReg 222	27 MoReg 229	27 MoReg 814	
9 CSR 30-4.039	Certification Standards	27 MoReg 222	27 MoReg 229	27 MoReg 814	
9 CSR 30-4.042	Certification Standards	27 MoReg 223	27 MoReg 229	27 MoReg 815	
9 CSR 30-4.043	Certification Standards	27 MoReg 223	27 MoReg 230	27 MoReg 815	
9 CSR 30-4.045	Certification Standards	27 MoReg 224	27 MoReg 231	27 MoReg 815	
9 CSR 45-3.050	Division of Mental Retardation and Developmental Disabilities		27 MoReg 622R		
9 CSR 45-5.060	Division of Mental Retardation and Developmental Disabilities	27 MoReg 389	27 MoReg 399		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10	Air Conservation Commission				27 MoReg 652
10 CSR 10-2.080	Air Conservation Commission		27 MoReg 564		
10 CSR 10-2.260	Air Conservation Commission		27 MoReg 699		
10 CSR 10-2.280	Air Conservation Commission		This IssueR		
10 CSR 10-3.060	Air Conservation Commission		27 MoReg 699		
10 CSR 10-4.040	Air Conservation Commission		27 MoReg 700		
10 CSR 10-5.180	Air Conservation Commission		27 MoReg 564		
10 CSR 10-5.320	Air Conservation Commission		This IssueR		
10 CSR 10-5.380	Air Conservation Commission		27 MoReg 1010		
10 CSR 10-6.070	Air Conservation Commission		27 MoReg 402		
10 CSR 10-6.075	Air Conservation Commission		27 MoReg 403		
10 CSR 10-6.080	Air Conservation Commission		27 MoReg 405		
10 CSR 10-6.110	Air Conservation Commission		27 MoReg 318		
10 CSR 10-6.130	Air Conservation Commission		27 MoReg 622		
10 CSR 10-6.220	Air Conservation Commission		27 MoReg 564		
10 CSR 10-6.320	Air Conservation Commission		This Issue		
10 CSR 20-4.023	Clean Water Commission		26 MoReg 860		
10 CSR 20-4.043	Clean Water Commission		26 MoReg 861		
10 CSR 20-7.040	Clean Water Commission		27 MoReg 235		
10 CSR 25-3.260	Hazardous Waste Management Commission		27 MoReg 110	This Issue	
10 CSR 25-6.263	Hazardous Waste Management Commission		27 MoReg 112	This Issue	
10 CSR 25-12.010	Hazardous Waste Management Commission		27 MoReg 115	This Issue	
			27 MoReg 702		
10 CSR 40-10.020	Land Reclamation Commission		26 MoReg 1798		
			27 MoReg 626		
10 CSR 40-10.050	Land Reclamation Commission		26 MoReg 1798		
10 CSR 60-4.050	Public Drinking Water Program		27 MoReg 325		
10 CSR 60-4.060	Public Drinking Water Program		27 MoReg 329R		
			27 MoReg 329		
10 CSR 70-1.010	Soil and Water Districts Commission		27 MoReg 247	This Issue	
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-11.210	Adjutant General		27 MoReg 247	27 MoReg 815	
	(Changed from 11 CSR 40-4.010)				
11 CSR 10-11.220	Adjutant General		27 MoReg 248	27 MoReg 816	
	(Changed from 11 CSR 40-4.020)				
11 CSR 10-11.230	Adjutant General		27 MoReg 248	27 MoReg 816	
	(Changed from 11 CSR 40-4.030)				
11 CSR 10-11.240	Adjutant General		27 MoReg 249	27 MoReg 816	
	(Changed from 11 CSR 40-4.040)				
11 CSR 10-11.250	Adjutant General		27 MoReg 249	27 MoReg 816	
	(Changed from 11 CSR 40-4.050)				

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11 CSR 30-7.010	Office of the Director	27 MoReg 550	27 MoReg 565		
11 CSR 40-4.010	Division of Fire Safety		27 MoReg 247	27 MoReg 815	
	(<i>Changed to 11 CSR 10-11.210</i>)				
11 CSR 40-4.020	Division of Fire Safety		27 MoReg 248	27 MoReg 816	
	(<i>Changed to 11 CSR 10-11.220</i>)				
11 CSR 40-4.030	Division of Fire Safety		27 MoReg 248	27 MoReg 816	
	(<i>Changed to 11 CSR 10-11.230</i>)				
11 CSR 40-4.040	Division of Fire Safety		27 MoReg 249	27 MoReg 816	
	(<i>Changed to 11 CSR 10-11.240</i>)				
11 CSR 40-4.050	Division of Fire Safety		27 MoReg 249	27 MoReg 816	
	(<i>Changed to 11 CSR 10-11.250</i>)				
11 CSR 40-6.060	Division of Fire Safety	26 MoReg 857			
11 CSR 45-1.090	Missouri Gaming Commission		27 MoReg 121	27 MoReg 725	
11 CSR 45-3.010	Missouri Gaming Commission		27 MoReg 865		
11 CSR 45-4.260	Missouri Gaming Commission		26 MoReg 2298	27 MoReg 649	
			27 MoReg 405	This Issue	
11 CSR 45-4.400	Missouri Gaming Commission		27 MoReg 121	27 MoReg 725	
11 CSR 45-4.410	Missouri Gaming Commission		27 MoReg 121	27 MoReg 725	
11 CSR 45-4.420	Missouri Gaming Commission		27 MoReg 122	27 MoReg 725	
11 CSR 45-5.070	Missouri Gaming Commission		27 MoReg 565		
11 CSR 45-5.075	Missouri Gaming Commission		27 MoReg 568		
11 CSR 45-5.183	Missouri Gaming Commission		This Issue		
11 CSR 45-5.290	Missouri Gaming Commission		27 MoReg 122	27 MoReg 725	
11 CSR 45-6.020	Missouri Gaming Commission		27 MoReg 123	27 MoReg 921	
11 CSR 45-6.025	Missouri Gaming Commission		27 MoReg 126	27 MoReg 921	
11 CSR 45-7.040	Missouri Gaming Commission				26 MoReg 2184
11 CSR 45-8.050	Missouri Gaming Commission		27 MoReg 128	27 MoReg 725	
11 CSR 45-9.030	Missouri Gaming Commission		27 MoReg 568		
11 CSR 45-12.090	Missouri Gaming Commission		27 MoReg 128	27 MoReg 726	
11 CSR 45-13.070	Missouri Gaming Commission		27 MoReg 128	27 MoReg 726	
11 CSR 45-30.025	Missouri Gaming Commission		27 MoReg 571		
11 CSR 45-30.355	Missouri Gaming Commission		27 MoReg 406	This Issue	
11 CSR 45-30.570	Missouri Gaming Commission		This Issue		
11 CSR 60-1.010	Division of Highway Safety		26 MoReg 2407	27 MoReg 816	
11 CSR 60-1.040	Division of Highway Safety		26 MoReg 2408	27 MoReg 816	
11 CSR 60-1.050	Division of Highway Safety		26 MoReg 2408	27 MoReg 816	
11 CSR 60-1.060	Division of Highway Safety		26 MoReg 2408	27 MoReg 817	
11 CSR 60-1.100	Division of Highway Safety		26 MoReg 2409	27 MoReg 817	
11 CSR 75-1.010	Peace Officer Standards and Training		27 MoReg 865R		
			27 MoReg 865		
11 CSR 75-2.010	Peace Officer Standards and Training		27 MoReg 866R		
			27 MoReg 866		
11 CSR 75-3.010	Peace Officer Standards and Training		27 MoReg 867R		
11 CSR 75-3.020	Peace Officer Standards and Training		27 MoReg 867R		
11 CSR 75-3.030	Peace Officer Standards and Training		27 MoReg 867R		
11 CSR 75-3.040	Peace Officer Standards and Training		27 MoReg 868R		
11 CSR 75-3.050	Peace Officer Standards and Training		27 MoReg 868R		
11 CSR 75-3.060	Peace Officer Standards and Training		27 MoReg 868R		
11 CSR 75-3.070	Peace Officer Standards and Training		27 MoReg 868R		
11 CSR 75-3.080	Peace Officer Standards and Training		27 MoReg 869R		
11 CSR 75-4.010	Peace Officer Standards and Training		27 MoReg 869R		
11 CSR 75-4.020	Peace Officer Standards and Training		27 MoReg 869R		
11 CSR 75-4.030	Peace Officer Standards and Training		27 MoReg 870R		
11 CSR 75-4.040	Peace Officer Standards and Training		27 MoReg 870R		
11 CSR 75-4.050	Peace Officer Standards and Training		27 MoReg 870R		
11 CSR 75-5.010	Peace Officer Standards and Training		27 MoReg 870R		
11 CSR 75-5.020	Peace Officer Standards and Training		27 MoReg 871R		
11 CSR 75-5.030	Peace Officer Standards and Training		27 MoReg 871R		
11 CSR 75-5.040	Peace Officer Standards and Training		27 MoReg 871R		
11 CSR 75-6.010	Peace Officer Standards and Training		27 MoReg 871R		
11 CSR 75-6.020	Peace Officer Standards and Training		27 MoReg 872R		
11 CSR 75-6.030	Peace Officer Standards and Training		27 MoReg 872R		
11 CSR 75-7.010	Peace Officer Standards and Training		27 MoReg 872R		
11 CSR 75-8.010	Peace Officer Standards and Training		27 MoReg 873R		
11 CSR 75-8.020	Peace Officer Standards and Training		27 MoReg 873R		
11 CSR 75-8.030	Peace Officer Standards and Training		27 MoReg 873R		
11 CSR 75-9.010	Peace Officer Standards and Training		27 MoReg 873R		
11 CSR 75-9.020	Peace Officer Standards and Training		27 MoReg 874R		
11 CSR 75-9.030	Peace Officer Standards and Training		27 MoReg 874R		
11 CSR 75-10.010	Peace Officer Standards and Training		27 MoReg 874R		
11 CSR 75-10.020	Peace Officer Standards and Training		27 MoReg 875R		
11 CSR 75-10.030	Peace Officer Standards and Training		27 MoReg 875R		
11 CSR 75-10.040	Peace Officer Standards and Training		27 MoReg 875R		
11 CSR 75-10.050	Peace Officer Standards and Training		27 MoReg 875R		
11 CSR 75-10.060	Peace Officer Standards and Training		27 MoReg 876R		
11 CSR 75-10.070	Peace Officer Standards and Training		27 MoReg 876R		
11 CSR 75-10.080	Peace Officer Standards and Training		27 MoReg 876R		
11 CSR 75-10.100	Peace Officer Standards and Training		27 MoReg 876R		
11 CSR 75-11.010	Peace Officer Standards and Training		27 MoReg 877R		
11 CSR 75-11.020	Peace Officer Standards and Training		27 MoReg 877R		
11 CSR 75-11.030	Peace Officer Standards and Training		27 MoReg 877R		
11 CSR 75-11.035	Peace Officer Standards and Training		27 MoReg 878R		
11 CSR 75-11.050	Peace Officer Standards and Training		27 MoReg 878R		

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11 CSR 75-11.060	Peace Officer Standards and Training	27	MoReg 878R		
11 CSR 75-11.070	Peace Officer Standards and Training	27	MoReg 878R		
11 CSR 75-11.080	Peace Officer Standards and Training	27	MoReg 879R		
11 CSR 75-12.010	Peace Officer Standards and Training	27	MoReg 879R		
11 CSR 75-12.020	Peace Officer Standards and Training	27	MoReg 879R		
11 CSR 75-12.030	Peace Officer Standards and Training	27	MoReg 880R		
11 CSR 75-13.010	Peace Officer Standards and Training	27	MoReg 880		
11 CSR 75-13.020	Peace Officer Standards and Training	27	MoReg 880		
11 CSR 75-13.030	Peace Officer Standards and Training	27	MoReg 881		
11 CSR 75-13.040	Peace Officer Standards and Training	27	MoReg 881		
11 CSR 75-13.050	Peace Officer Standards and Training	27	MoReg 882		
11 CSR 75-13.060	Peace Officer Standards and Training	27	MoReg 882		
11 CSR 75-13.070	Peace Officer Standards and Training	27	MoReg 883		
11 CSR 75-13.080	Peace Officer Standards and Training	27	MoReg 883		
11 CSR 75-13.090	Peace Officer Standards and Training	27	MoReg 883		
11 CSR 75-13.100	Peace Officer Standards and Training	27	MoReg 884		
11 CSR 75-14.010	Peace Officer Standards and Training	27	MoReg 884		
11 CSR 75-14.020	Peace Officer Standards and Training	27	MoReg 885		
11 CSR 75-14.030	Peace Officer Standards and Training	27	MoReg 886		
11 CSR 75-14.040	Peace Officer Standards and Training	27	MoReg 886		
11 CSR 75-14.050	Peace Officer Standards and Training	27	MoReg 887		
11 CSR 75-14.060	Peace Officer Standards and Training	27	MoReg 888		
11 CSR 75-14.070	Peace Officer Standards and Training	27	MoReg 888		
11 CSR 75-14.080	Peace Officer Standards and Training	27	MoReg 889		
11 CSR 75-15.010	Peace Officer Standards and Training	27	MoReg 889		
11 CSR 75-15.020	Peace Officer Standards and Training	27	MoReg 890		
11 CSR 75-15.030	Peace Officer Standards and Training	27	MoReg 891		
11 CSR 75-15.040	Peace Officer Standards and Training	27	MoReg 892		
11 CSR 75-15.050	Peace Officer Standards and Training	27	MoReg 892		
11 CSR 75-15.060	Peace Officer Standards and Training	27	MoReg 892		
11 CSR 75-15.070	Peace Officer Standards and Training	27	MoReg 893		
11 CSR 75-16.010	Peace Officer Standards and Training	27	MoReg 893		
DEPARTMENT OF REVENUE					
12 CSR	Construction Transient Employers			27	MoReg 416
				27 MoReg 925
12 CSR 10-2.005	Director of Revenue	27	MoReg 791R		
12 CSR 10-2.015	Director of Revenue	27	MoReg 707		
12 CSR 10-2.040	Director of Revenue	27	MoReg 792R		
12 CSR 10-2.065	Director of Revenue	27	MoReg 792R		
12 CSR 10-2.145	Director of Revenue	27	MoReg 792R		
12 CSR 10-2.165	Director of Revenue	27	MoReg 338	27	MoReg 922
12 CSR 10-2.175	Director of Revenue	27	MoReg 792R		This Issue
12 CSR 10-3.008	Director of Revenue	27	MoReg 707R		
12 CSR 10-3.031	Director of Revenue	27	MoReg 707R		
12 CSR 10-3.034	Director of Revenue	27	MoReg 708R		
12 CSR 10-3.042	Director of Revenue	27	MoReg 708R		
12 CSR 10-3.044	Director of Revenue	27	MoReg 708R		
12 CSR 10-3.116	Director of Revenue	27	MoReg 708R		
12 CSR 10-3.144	Director of Revenue	27	MoReg 709R		
12 CSR 10-3.158	Director of Revenue	27	MoReg 709R		
12 CSR 10-3.179	Director of Revenue	27	MoReg 709R		
12 CSR 10-3.233	Director of Revenue	27	MoReg 709R		
12 CSR 10-3.240	Director of Revenue	27	MoReg 793R		
12 CSR 10-3.245	Director of Revenue	27	MoReg 793R		
12 CSR 10-3.247	Director of Revenue	27	MoReg 793R		
12 CSR 10-3.250	Director of Revenue	27	MoReg 793R		
12 CSR 10-3.254	Director of Revenue	27	MoReg 794R		
12 CSR 10-3.256	Director of Revenue	27	MoReg 794R		
12 CSR 10-3.258	Director of Revenue	27	MoReg 794R		
12 CSR 10-3.292	Director of Revenue	27	MoReg 794R		
12 CSR 10-3.294	Director of Revenue	27	MoReg 795R		
12 CSR 10-3.300	Director of Revenue	27	MoReg 795R		
12 CSR 10-8.040	Director of Revenue	27	MoReg 710R		
12 CSR 10-8.050	Director of Revenue	27	MoReg 710R		
12 CSR 10-8.060	Director of Revenue	27	MoReg 710R		
12 CSR 10-8.070	Director of Revenue	27	MoReg 710R		
12 CSR 10-8.080	Director of Revenue	27	MoReg 711R		
12 CSR 10-8.090	Director of Revenue	27	MoReg 711R		
12 CSR 10-8.100	Director of Revenue	27	MoReg 711R		
12 CSR 10-8.110	Director of Revenue	27	MoReg 711R		
12 CSR 10-8.130	Director of Revenue	27	MoReg 712R		
12 CSR 10-8.140	Director of Revenue	27	MoReg 712R		
12 CSR 10-8.150	Director of Revenue	27	MoReg 712R		
12 CSR 10-24.190	Director of Revenue	27	MoReg 768	27	MoReg 795
12 CSR 10-24.326	Director of Revenue	27	MoReg 768	27	MoReg 795
12 CSR 10-41.030	Director of Revenue	27	MoReg 338	27	MoReg 922
12 CSR 10-43.030	Director of Revenue	27	MoReg 464		This Issue
12 CSR 10-102.016	Director of Revenue	27	MoReg 712		
12 CSR 10-103.395	Director of Revenue	27	MoReg 713		
12 CSR 10-108.700	Director of Revenue	27	MoReg 713		
12 CSR 10-113.200	Director of Revenue	27	MoReg 339	27	MoReg 922
12 CSR 10-117.100	Director of Revenue	27	MoReg 340	27	MoReg 922
12 CSR 30-4.010	State Tax Commission	27	MoReg 250		

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13 CSR 15-4.050	Division of Aging		27 MoReg 486		
	(<i>Changed to 19 CSR 15-4.050</i>)				
13 CSR 40-30.020	Division of Family Services	27 MoReg 391	27 MoReg 406	27 MoReg 1053	
13 CSR 40-60.050	Division of Family Services		27 MoReg 341	27 MoReg 1053	
13 CSR 70-10.150	Division of Medical Services				This Issue
13 CSR 70-15.010	Division of Medical Services	This Issue	27 MoReg 894		
13 CSR 70-15.110	Division of Medical Services	This Issue	27 MoReg 898		
13 CSR 70-20.200	Division of Medical Services	27 MoReg 963	This Issue		
13 CSR 70-20.250	Division of Medical Services	27 MoReg 963	This Issue		
13 CSR 73-2.015	Missouri Board of Nursing				
	Home Administrators	27 MoReg 5	27 MoReg 19	27 MoReg 726	
13 CSR 73-2.070	Missouri Board of Nursing				
	Home Administrators	27 MoReg 5	27 MoReg 20	27 MoReg 726	
ELECTED OFFICIALS					
15 CSR 30-45.030	Secretary of State		27 MoReg 407R	27 MoReg 1054R	
			27 MoReg 407	27 MoReg 1054	27 MoReg 1062
15 CSR 30-50.010	Secretary of State		27 MoReg 129	27 MoReg 1054	
15 CSR 30-50.020	Secretary of State		27 MoReg 130R	27 MoReg 1055R	
			27 MoReg 130	27 MoReg 1055	
15 CSR 30-50.030	Secretary of State		27 MoReg 131R	27 MoReg 1055R	
			27 MoReg 131	27 MoReg 1056	
15 CSR 30-50.040	Secretary of State		27 MoReg 132R	27 MoReg 1056R	
			27 MoReg 132	27 MoReg 1056	
15 CSR 30-50.120	Secretary of State		27 MoReg 133R	27 MoReg 1057R	
15 CSR 30-50.130	Secretary of State		27 MoReg 134R	27 MoReg 1057R	
15 CSR 30-50.150	Secretary of State		27 MoReg 134R	27 MoReg 1057R	
15 CSR 30-50.160	Secretary of State		27 MoReg 134R	27 MoReg 1057R	
15 CSR 30-50.170	Secretary of State		27 MoReg 134R	27 MoReg 1057R	
15 CSR 30-50.180	Secretary of State		27 MoReg 135R	27 MoReg 1057R	
15 CSR 30-50.210	Secretary of State		27 MoReg 135R	27 MoReg 1058R	
15 CSR 30-50.220	Secretary of State		27 MoReg 135R	27 MoReg 1058R	
15 CSR 30-51.010	Secretary of State		27 MoReg 135	27 MoReg 1058	
15 CSR 30-51.020	Secretary of State		27 MoReg 136R	27 MoReg 1058R	
			27 MoReg 136	27 MoReg 1058	
15 CSR 30-51.030	Secretary of State		27 MoReg 138R	27 MoReg 1059R	
			27 MoReg 138	27 MoReg 1059	
15 CSR 30-51.160	Secretary of State		27 MoReg 139R	27 MoReg 1060R	
			27 MoReg 139	27 MoReg 1060	
15 CSR 30-51.180	Secretary of State		27 MoReg 251	27 MoReg 1061	
15 CSR 30-54.190	Secretary of State		26 MoReg 2303R	27 MoReg 817R	
			26 MoReg 2304	27 MoReg 817	
15 CSR 30-54.290	Secretary of State		27 MoReg 251	27 MoReg 1061	
RETIREMENT SYSTEMS					
16 CSR 10-4.014	The Public School Retirement System of Missouri		27 MoReg 465	27 MoReg 1061	
16 CSR 10-6.040	The Public School Retirement System of Missouri		27 MoReg 465	27 MoReg 1061	
16 CSR 50-10.010	The County Employees' Retirement Fund		27 MoReg 900		
16 CSR 50-10.030	The County Employees' Retirement Fund		27 MoReg 900		
16 CSR 50-10.040	The County Employees' Retirement Fund		27 MoReg 901		
16 CSR 50-10.050	The County Employees' Retirement Fund		27 MoReg 902		
16 CSR 50-10.070	The County Employees' Retirement Fund		27 MoReg 903		
16 CSR 50-20.030	The County Employees' Retirement Fund		27 MoReg 903		
16 CSR 50-20.050	The County Employees' Retirement Fund		27 MoReg 903		
16 CSR 50-20.070	The County Employees' Retirement Fund		27 MoReg 904		
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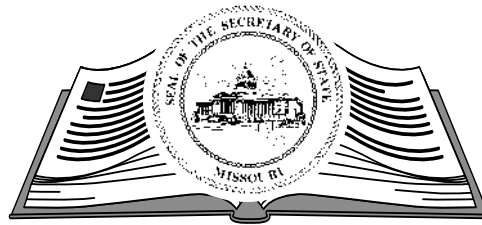
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